

Senate Commerce with Nominee Bradbury /Transportation

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Sen. Ted Cruz (R-Texas)

Good morning, Senate Commerce Committee will come to order. We're here for the nomination of Steven Bradbury to be the Deputy Secretary of the Department of Transportation. If confirmed, Mr. Bradbury will serve as the Department second command, overseeing day to day operations and implementing critical safety policies for our nation's transportation system. Mr. Bradbury is exceptionally well qualified for this position.

He served as general counsel of the Department from 2017 to 2021. And he served briefly as Acting Secretary of the Department. As DOT's chief legal counsel, Mr. Bradbury supervised a team of over 500 attorneys and support staff. He oversaw rulemaking and enforcement as well as regulatory reforms, saving the Department \$98 billion in 2020, Mr. Bradbury received the Secretary's Distinguished Service Award.

Prior to the first Trump Administration, Mr. Bradbury was a partner at major law firms here in Washington DC. He dealt with various transportation matters in private practice, including a consequential airline merger, and one of the largest automotive recalls in history. Mr. Bradbury also led the Office of Legal Counsel at the Department of Justice. And he clerked at both the US Court of Appeals for the DC Circuit and the United States Supreme Court.

Simply put, his legal and policy credentials are of the highest caliber. But he's also suited for those aspects of the DOT's role that can't be captured to resume. Recognizing that lives are indirectly in your hands, listening to accident victims families and taking action to prevent future tragedies. More than many public servants.

Mr. Bradbury has had to grapple with the fact that public policy has real life consequences. He knows that with power comes responsibility. Mr. Bradbury will work closely with Secretary Duffy to help keep travelers safe and to responsibly invest in the nation's infrastructure. I've made it clear that safety particularly in the aviation sector, must be his foremost priority.

To that end, Mr. Bradbury is ready to eliminate non-statutory policy objectives that have been detracting from the department's core safety mission. I've also emphasized Congress's role in enhancing safety and The importance of complying with congressional oversight. Mr. Bradbury is prepared to be forthcoming with Congress in line with commitment Secretary Duffy made to this Committee just a few weeks ago to turn over information we've requested. Finally, as I noted, Mr. Bradbury is a smart regulator.

He has a track record of substantial cost savings at DOT. And he will come on board at a time when the administration and the American people are particularly focused on government efficiency. With Mr. Bradbury we get someone with the experience to drive intelligent change the time of change that improves outcomes while saving taxpayers money. I've received over 20 letters of support for Mr. Bradbury from major transportation groups representing sectors from aviation and trucking to ports and waterways.

I to support his confirmation, and I look forward to hearing more about his approach to the Department. With that, I will recognize the Ranking Member for her opening remarks.

Sen. Maria Cantwell (D-Wash.)

Thank you, Mr. Chairman. Mr. Bradbury, I appreciate you being here today and welcome to your family. I also would like to recognize and welcome to Mac's family individuals that are here. Nadia, Milan, and Kanji Bala occur, both of them have been so active and continuing to focus on safety.

And thank you for that advocacy. We're here right now because we need leadership at DOT that recognizes that safety is the top priority. There is no issue about saving dollars if you're not saving lives. And I think that what's been wrong at FAA and DOT overall is that we've had too much of a light touch on these very important issues.

So Mr. Bradbury, I do have concerns about your record. During your time at DOJ, you authored what is widely known as the torture memo justifying the use of waterboarding and other torture techniques. I'm not going to go through the whole list of situations that arose from that, but alarming they found evidence that quote your legal analysis, quote, were written with a goal of allowing the ongoing CIA program to continue in quote. These legal opinions were so contrary to what this country stood for that the Senate refused to confirm you as the Assistant Attorney General during the Bush administration and Congress passed the McCain Feingold Feinstein amendment to the 2016 NDAA codifying the legality of the torture methods that you've bent the law to justify we cannot afford in the aviation sector, someone who thinks that we can bend the law to an outcome.

Your record of using the law selectively to predetermine the outcome raises questions about the time at DOT during the first Trump Administration. You were quote responsible for overseeing the department's regulatory actions and implementing President Trump's regulatory reform agenda. In quote In this role, you orchestrated the rollback of multiple safety requirements under the guise of advancing a reform agenda. For example, just nine days, nine days after the first of the two fatal Boeing 737 MAX crashes and 2018 your office sidelined a proposed safety management system rulemaking for aviation manufacturers like Boeing.

I would say Mr. Chairman, if somebody adds up all the costs that the max crashes have done to the aviation sector, it's way more costly, way more costly than any efficiency that somebody has suggested. What that analysis did was the industry had agreed the FAA had agreed that we needed a mandatory safety management system. Why because that's the gold standard for aviation safety. Why was the rule was sidelined?

Well, according to a Bloomberg article titled quote, The Trump's DOT blocked safety rule deemed critical in the 737 MAX probe in quote, the council general you use your general counsel position to shelve the draft rule. A former FAA official who chaired an industry Committee on SMS Tony Fazio asserted that the Transportation Department under Mr. Bradbury's watched unleashed a restrictive policy that has run amok undercutting FAA's workers to enhance the safety and sidelining this SMS rule. This is particularly alarming giving this committee's focus on safety and the fact that we passed ACCSA, a mandatory SMS rule. But after you sidelined the rule, you next use the authority of the general counsel office to impede the committee's investigation into the 737 MAX crashes.

As you noted in your testimony today, the general counsel's office was involved in quote, the FAA is response to the 737 MAX disasters in quote. Well, your involvement, I would say doesn't show for the better. According to the committee's December 2020, investigative report on the max crashes your office, quote, intentionally withheld relevant information requested by the Committee and quote, and, quote, improperly redacted information in documents, it hindering the committee's oversight into the investigation in quote, The report further found evidence that your staff intervened and prevented the FAA from meaningfully engaging with the Committee on this investigation. And the report concluded that the FAA and DOT is cooperation and the Committee, quote, has bordered on obstruction in quote, as Chairman Wicker at the time said himself during a Committee hearing on June 17 2020.

The only conclusion we could reach based on the record is that quote, the FAA has deliberately attempted to keep us in the dark. And by that I mean, our investigative staff, our Committee and me in quote, I was here when Senator Wicker made those statements, I consider him a very demure Southern gentleman who sometimes pulls his punches. He didn't pull his punches that day. As I noted at the time, these findings give me serious concerns about your commitment to the transparency that Congress and the American people deserve.

The families of the 737 MAX crashes wrote to Chairman crews earlier this week to express their concerns. They specifically voiced your concerns their concerns about the role and obstructing the investigation. So Mr. Chairman, I look, I asked unanimous consent to enter their record their letter into the record without objection from the general counsel's office. Mr. Bradbury, you also saw the loosening of fatigue prevention requirements for truck drivers.

At the same time, vehicle safety was being called into question and we saw an increase in fatalities. There are some other issues that I'll blink bring up. But Mr. Bradbury, we need a leader on safety. We need someone who is going to make it the number one priority, not not modify the rule to suit the industry.

Thank you, Mr. Chairman.

Sen. Ted Cruz (R-Texas)

Thank you, Mr. Bradbury will now recognize you for your opening statement.

Steven Bradbury

Thank you, Chairman Cruz, Ranking Member Cantwell and distinguished members of the Committee. It is the highest honor of my life to come before you today as the President's nominee to be the Deputy Secretary of Transportation. I'm profoundly grateful to President Trump for placing his trust in me. And I'm deeply thankful to Secretary Duffy for his confidence and his growing friendship.

I also want to thank my family for their love and support. I'm forever grateful for my wife, Hilde, the love of my life, my rock, who's here to support me today. And for our three amazing children, each of whom has grown to be an accomplished role model for me. I learned from them.

Let me take a moment to remember my mother, Cora Gil Bradbury, the daughter of Cornish and Irish miners from Butte, Montana. She raised me as a single mom in Portland, Oregon, ironing clothes for 75 cents an hour and working nights in a bakery to supplement our social security checks. She was the kindest, most selfless person I've ever known. And it was only because of her unfailing support and encouragement that I came to be the first in our family to attend a four-year university.

After graduating from Stanford University and later from the University of Michigan Law School, I was drawn to the practice of law here in the nation's capitol. Early on, I had the tremendous fortune of clerking for Judge James Buckley on the US Court of Appeals in DC and Justice Clarence Thomas on the Supreme Court, two of our greatest jurists and greatest Americans, though coming from completely opposite backgrounds, both have had a profound influence on my life and career. That career has included more than 20 years of private practice in major law firms in Washington and nearly 10 years of extensive prior service in the executive branch. Back in the mid-2000s, I headed the Office of Legal Counsel at DOJ, advising the president and executive branch officials on compliance with the Constitution and laws of the United States.

And during the first Trump Administration, I was the Senate confirmed general counsel of DOT, managing all legal matters and supervising more than 500 attorneys across the Department. For the last year and a half of the administration, I have performed the duties of Deputy Secretary, among other things, helping to lead the department's response to COVID. At DOT, safety is paramount. And I have the deepest appreciation for the department's safety mission.

That mission is exceptionally important in no small part, because the liberty and prosperity of the American people depend on the nation's transportation systems and infrastructure. I believe I know the Department well. And I have great affection and respect for the dedicated career staff of DOT, if confirmed as Deputy Secretary of the vote devote myself to helping the Secretary advance safety and efficiency through faithful application of the authorities and resources granted by Congress, in accordance with the Constitution and the policy directions of the President of particular importance. In light of the terrible aviation crashes of recent days, I believe I can effectively assist the Secretary as he works with FAA to upgrade our nation's air traffic control operations and improve the effectiveness of safety oversight and enforcement.

I also expect to assist in advancing smart regulatory reforms that promote safety and affordability while maintaining competitive markets, and the incentives necessary for innovation, as well as in supporting cost beneficial infrastructure, improvements of national importance. In all these endeavors, I would be an advocate for transparency with Congress and the public. And I would stress the importance of maintaining open and candid channels of communication with this Committee, and all other committees of jurisdiction. I pledge to you that if confirmed, I will bring these values to work with me every day at the Department of Transportation.

With the Senate's consent, I'm eager to partner with Secretary Duffy to get to work for the American people. Thank you, Mr. Chairman.

Sen. Ted Cruz (R-Texas)

Thank you, Mr. Bradbury. Let's start with this. If you are confirmed as Deputy Secretary of Transportation, what legacy would you like to leave and transportation and infrastructure.

Steven Bradbury

I'd like the legacy to be that the Department had achieved greater efficiency in directing the dollars to the projects of most national importance for the American people, basically, greatest bang for the buck for the American taxpayer in terms of infrastructure projects. And we need to assess how the Department exercises the discretion that Congress has given it with regard to funding programs to ensure that we are focusing our attention on safety and efficiency in those projects. And we need to improve the capacity and expand the capacity of infrastructure in the United States. So those are the things I hope we can achieve over the next four years.

Sen. Ted Cruz (R-Texas)

So this past month has been a harrowing month for air travel. In this past month, there have been fatal aircraft accidents, here in Washington, DC, in Philadelphia, and Alaska, and just yesterday in Arizona. Fortunately, all the passengers and crew survived the crash in Toronto earlier this week. How would you help restore confidence in air travel and maintain a safe national airspace?

Steven Bradbury

We need to bring resources to bear immediately I think the Secretary has indicated he's he's doing this. To review all of the safety systems, we use an air traffic control in the FAA, we need to upgrade those systems. There's been a lot of talk for decades about improving the efficiency and effectiveness of the systems, making sure we have up to date technical systems for the FAA. And yet we still see that systems are obsolete they haven't performed the way they need to perform.

As we the process of upgrading is too slow. We need somehow to break through we need new thinking on it. I think that's what the Secretary is focused on very keenly. But we also Mr. Chairman, need to improve expand the capacity of the training of new air traffic controllers get the bright, best and brightest in there.

And we have to take a hard look at that process and the capabilities of our air traffic controllers. So we still have the safest air system in the world but If we cannot fall down on the job and these recent disasters are just a horrible reminder that we need to be constantly vigilant because we have a zero tolerance for commercial air disasters.

Sen. Ted Cruz (R-Texas)

Yesterday, Secretary Duffy published an op ed in which he said quote, America's air traffic systems need an urgent upgrade. DOT is addressing aging networks and systems like NOTAM, it is taking a close look at personnel boosting its recruitment with air traffic controllers. The FAA Reauthorization Act of 2024, which Senator Cantwell and I wrote, requires maximum hiring of air traffic controllers for the next five years. Should the FAA continue to exempt safety critical staff like controllers from any potential hiring freezes or layoffs?

Steven Bradbury

Well, the Secretary will make that judgment. But he's been pretty clear that all safety critical officials are exempt from the recent cuts in the focus. And air traffic controllers certainly fall into that category. We need more air traffic controllers, we need a faster pipeline larger capacity in that and clearly Congress has spoken on that.

And I think it's a major priority.

Sen. Ted Cruz (R-Texas)

And just to clarify what the Secretary has said, there's been a lot of news coverage about the reduction in force at the FAA. My understanding is it's less than 1% of the workforce. And what Secretary Duffy has said is that no air traffic controllers were included in that in that no safety critical positions were included in that is that your understanding as well.

Steven Bradbury

Yes, I heard those statements. And that's very consistent with what I know to be his focus to ensure that as we achieve greater efficiencies in funding and staffing throughout the Department, that those cuts, where appropriate, will be made without compromising safety, and he'll ensure that safety critical staffing is sufficient to address those needs.

Sen. Ted Cruz (R-Texas)

So in his confirmation hearing, Secretary Duffy made various commitments to this Committee and I want to run through a few of them right now to make sure you and he are on the same page. And to make this easier, the answer to each of these questions should be yes. Will you work with my office to ensure that the new Center for Advanced aviation technology created by the FAA Reauthorization Act of 2024 is established in Dallas Fort Worth consistent with congressional intent?

Steven Bradbury

I will certainly support the Secretary's efforts in that regard.

Sen. Ted Cruz (R-Texas)

Will you prioritize the renewal of tech Staats NEPA assignment authority on reasonable terms before its expiration in March of 2025?

Steven Bradbury

Think the Department certainly I personally strongly support NEPA authority being assigned to states that have the capability of undertaking complex NEPA assessments. I certainly I certainly understand that Texas is one of those states and I think this is a good efficient process.

Sen. Ted Cruz (R-Texas)

For nearly four years, five deepwater port license applications have languished in the US Maritime Administration. MARAD, Will you commit to expediting Marins review of the application from Texas based Delfin and LNG?

Steven Bradbury

I definitely intend to look into that and make sure that Marat is moving those applications forward as quickly and that there aren't any unnecessary unreasonable delays in that I totally support the effort with deepwater ports.

Sen. Ted Cruz (R-Texas)

Will you commit to reviewing penalties issued by the FAA guests, SpaceX and curtailing bureaucratic overreach at the FAA is Office of commercial space transportation.

Steven Bradbury

Yes. And I strongly support further streamlining efforts with regard to commercial space licensing regulation.

Sen. Ted Cruz (R-Texas)

And two more, will you commit to providing my office with the DOT staff ratings for all discretionary grant applications over the last four years in which the California high speed rail project received an award?

Steven Bradbury

I understand that the Secretary received that request. And we'll be responding to that. And I will work with the Secretary to make sure that this Committee and you, Mr. Chairman, get what you need.

Sen. Ted Cruz (R-Texas)

He said yes. And I'll take that as a yes as well. And finally, do you agree that pipelines are one of the safest modes of surface transportation and that DOT should let data drive regulatory decisions?

Sen. Maria Cantwell (D-Wash.)

Yes, thank you. Mr. Chairman. Thank you, Mr. Bradbury. I brought up the SMS rule in my opening statement, and I'm assuming you know enough about safety management systems to have this discussion that safety management system is about a continuous improvement, and an analytical approach.

So it basically means when you come up with a problem, you're going to stop and fix it. So it's not you can't keep moving forward. So in this article, That was reported in the news put it on the short thing. We know that the rule was halted nine days after the Mac's crash.

Why? Why did you? Why did you stop the rulemaking from happening?

Steven Bradbury

Well, I don't know that I stopped it.

Sen. Maria Cantwell (D-Wash.)

That's what's reported in the paper. And I mentioned the FAA person who was in charge of the process, who said the industry and everybody would want to move forward and it was submitted. And then next thing you know, it's pulled so.

Steven Bradbury

Well, certainly we go through review of every regulation. And as I recall, in that regulation, there were questions on the merits about which entities it should apply to and how it might apply to small businesses or small entities. Those are the kinds of questions that need to be addressed.

Sen. Maria Cantwell (D-Wash.)

Whenever you're saying you might have killed the SMS rule, because you didn't want it to apply to small manufacturers.

Steven Bradbury

I wouldn't say I killed the SMS rule. And let me say,

Sen. Maria Cantwell (D-Wash.)

We still don't have one, our Committee has worked hard to get one. And now it's going to be in law. But I have more questions about this. But yes, you did stop it from happening.

There was a recommendation to move forward on it and your office stopped it?

Steven Bradbury

Well, Senator Cantwell, let me say I strongly support safety management systems as an approach to regulation, a mandatory a mandatory would support mandatory safety management systems. And I would appreciate the opportunity to work with this Committee to make sure we have them in place, not just in aviation, but in other transportation sectors. Because I think it's a, it's a smart way to regulate, you put the onus on the operators and the manufacturers to avoid safety problems, defects, you put it on them, they have to come up with the system to do it, and then you hold them accountable. I think we [CROSS TALK]

Sen. Maria Cantwell (D-Wash.)

Do you agree with the FAA's decision to allow the Boeing Company to continue to fly MAX's after the first crash?

Steven Bradbury

That was a I know, agonizing period. And I know the experts at FAA, were looking very hard at it looking at what might have been involved in that. And the secretary's office, I was assisting the Secretary, we were very closely monitoring the FAA, the professionals at the FAA, and that we certainly supported their decision to ground the 737 MAX, in hindsight, a lot could be said for doing it sooner. It was an unprecedented situation for the FAA to ground an entire fleet of aircraft like that, but I think they made the right decision.

And then, you know, we were very involved for the

Sen. Maria Cantwell (D-Wash.)

Right decision to ground the plane. Ground the plane.

Sen. Maria Cantwell (D-Wash.)

Back to the FAA went to Seattle after the Indonesian crash, and basically didn't do any kind of thorough review. Again, a safety management system would have required an analysis, that's what safety management system is of critical features. But

the FAA, filled with light touch people, which we've tried to root out, and that's why we try to pass strong legislation, because we don't want to light touch and aviation. And we can't have an efficiency approach or a bean counter approach, because that's not saving lives.

And in reality, it's not saving money either. So we need an FAA and a DOT in a general counsel who is going to stand up to get these rules in place.

Steven Bradbury

I agree. I agree that we need strong safety management systems, as I indicated before with accountability, okay, with real penalties, and we need to be tougher on Boeing. We need to be tougher on the industry, we need to be tougher on the railroads, as we've seen with East Palestine disaster.

Sen. Maria Cantwell (D-Wash.)

Okay. I don't have a ton of time left. But so when this Committee passed, so we met we did what the FAA wouldn't do. We mandated an A, a safety management system that still is now rolling out.

But you were still there. When we pass that you could have just popped up the rule and said, Let's go. But you didn't do you? Do you know why?

Steven Bradbury

I don't recall the ins and outs. But we [CROSS TALK]

Sen. Maria Cantwell (D-Wash.)

Do you see what I'm saying about that? You? You have this old rule in your back pocket. We passed it.

We said now do this. You were still there. You could have said well, let's get going. This is clear.

Let's get going. But you didn't. Did you have any thoughts about that? Because I have one more issue I wanted to get to quickly.

Steven Bradbury

I never stopped regulatory efforts directed at safety in order to achieve cost savings, or meet the President's two for one requirement on rulemaking. We never stopped safety critical rules for that reason.

Sen. Maria Cantwell (D-Wash.)

I here's one that's really bothersome right now. And that is this letter that came out from Eleanor Holmes Norton. The now shows this week that ATBS out He was routinely turned off by the military. He says in the letter I have it, I'll enter it in for the, for the record.

The question was due to the sensitive nature of mission supporting the movement, a very important personnel in and around the NRC that the Army Aviation Brigade at Fort Belvedere and Marine helicopter squadron will execute 100% of their missions with AD SB off. That was June 8, 2023. So the military was saying Now the reason this is important is because the Obama administration said, let's have a rule, and let's not have these people exempted from the rule. The Trump Administration came in and said, No, we're going to write a rule and they are exempted.

Oh, but by the way, it's really only in these few instances and these few times, and then we find this letter that basically says it's 100% of the time we're not having that turned on. So you were involved in rulemaking that was different than the prior administration's attempt to try to rein this in. And so listen, I get it. I know.

I've been in the private sector, guess what, there is bureaucracy in the private sector, big is a problem. Okay, big is a problem everywhere. But in this instance, what this country needs right now is people that will adhere to safety first, it is the gold standard, it will help us lead in the next generation. But we can't do it.

If we continue to have people who fall into this yes, we're gonna allow this exemption, we're gonna allow this to happen. We're going to do this in the name of efficiency. So I'm sure we'll have more time, Mr. Chairman, but I if you have a response that you know, of now to this ATBS issue? Great.

If not, I'll take it for the record.

Steven Bradbury

I do think the Secretary will want to work with the Secretary of Defense with regard to military aircraft in civilian airspace in the US to ensure that systems that are needed for safety are used as appropriate. And that that's an example of something where there needs to be coordination.

Sen. Maria Cantwell (D-Wash.)

Like just for the record, your thoughts on that former Obama rule and then the rule you proposed exempting them. Thank you, Mr. Chairman.

Sen. Ted Cruz (R-Texas)

Thank you. And I would note that the Ranking Member and I think are both agreed that the military's policy of routinely turning off ATSB on flights in and around Reagan and other airports, even on routine training missions, was completely indefensible, and needs to be altered. I suppose for clarity, I should point out that the letter the Ranking Member quoted from Rendell over at Holmes Norton was written in 2023. And in 2023, Joe Biden was the president Lloyd Austin was the Secretary of Defense.

It was a Democrat administration that followed the policy of turning off ADSB out. I think we are now agreed on both sides of the aisle. That was a mistake. But to be clear, you were not at the Department of Transportation in 2023.

Is that right?

Sen. Maria Cantwell (D-Wash.)

That's correct. Mr. Chairman, I don't think anybody knew that. That was their policy. When you and I, when we had a briefing, they never said that that was their policy.

This just came to light or when some, my guess is whistleblower, or someone in the community saw all of this happening and came and said, Oh, there's this letter. This is what their policy really is. Or at least this is what somebody stated to Eleanor Holmes Norton.

Sen. Ted Cruz (R-Texas)

Well, and the Department army did tell us in our briefing here, they came close to telling us that, that they regularly turn off ADSB. out they didn't say 100%. 100% is sadly it's not it's not surprising, and I think it's indefensible. I feel confident that policy will change either by this administration unilaterally or I feel confident that that Congress will make that policy change, given given the tragedy that happened over DCA.

Senator Fischer.

Sen. Deb Fischer (R-Neb.)

Thank you, Mr. Chairman. Mr. Bradbury, as you know, rural communities rely heavily on the Essential Air Service program. It provides them with connectivity and access to critical services. In my home state of Nebraska.

We have seven communities that are served by Essential Air Service. It provides these communities not just with an increased opportunity to connect with the outside world, but it serves to help them attract business attract visitors and it drives local economies yesterday in our meeting, to get to know each other and have a good conversation. Thank you for coming. You mentioned looking at potential reforms to To the central air service, and you said, including examining the subsidies that airports receive.

Are you willing to commit to me and the Committee today that, that you stand with rural America, and ensure that our airports are able to maintain essential air service that meets those needs?

Steven Bradbury

Yes, Senator appreciated our chance to meet together. Thank you very much for being available to meet with me. I appreciated that. The Secretary, I think, in his hearing made it very clear, he's a strong supporter of central air service.

And I certainly know how important it is to small and medium communities across the country. And clearly it has very strong support in Congress and whatever proposals may have been made to reconsider that or phase it out. I don't think that's realistic. And I don't expect to be pushing for anything approaching sunset, or eliminating Essential Air Service.

There are still decisions that the Department makes in implementing the program and examining whether communities are meeting the metrics stated for the program. And that's a process that happens periodically. And it's a very important process. And sometimes communities come in new communities come into the program, etc.

And that's something that Secretary will look at. And I expect to assist him in that and with an eye to preserving the effectiveness of the program.

Sen. Deb Fischer (R-Neb.)

Thank you. I also appreciated the opportunity yesterday did show you my frustration with FHWA. They seem to be struggling to provide any kind of clear, consistent guidance across their division offices. And as I stated yesterday, I've heard from State Department's of transportation, that there is a lack of that consistent guidance from USDA regarding the requirements needed for states, such as to justify building back better after a disaster.

If confirmed, how would you work across the Federal Highway Administration to ensure that division offices are consistent that they are clear in their guidance to our state DOT's?

Steven Bradbury

Well, thank you, Senator, it really requires strong leadership from the head of FHWA and the Secretary out to those field offices. Consistency is critical. But also making clear that the states have a strong role in deciding the use of the funds that come into them from the Highway Trust Fund. But we need a focus on safety, efficiency, capacity and resilience of our infrastructure.

And not to be distracted by other goals. Some policy goals that may not be necessary in the May divert from those central important goals of safety and efficiency. So I think that consistency is critical and working closely with the state in the state DOT's is absolutely essential.

Sen. Deb Fischer (R-Neb.)

I hope we can work together on that it extremely important. And we can certainly see cost savings when things are more streamlined and made available to the state so they can get those projects out there and get them going on rail service. Americans they want safe and reliable rail service with Amtrak. That's not always been fiscally responsible, I believe nor have they been cooperative with their state rail partners who are operating profitable rail service cross and network.

I have some legislation on that the Amtrak Transparency Act. It would require them to have open board meetings to state partners and requires disclosure of executive bonuses. I'm sure you recall the articles that came out about those bonuses several months ago, totally indefensible that they were given as the DOT. Deputy Secretary, how will you address concerns over Amtrak's fiscal responsibility and ensure that they work well with their state rail partners?

Steven Bradbury

Well, thank you, I appreciate those goals and definitely would look forward to working with you and this Committee on any legislation that would that would address that but with regard to the current situation with Amtrak, it's it's there's so much additional funding that has been provided to Amtrak. There's so much money in the system. We really need to take a careful look and ensure that it's being used the fish efficiently and effectively. And there shouldn't be any wasteful spending unnecessary bonuses that don't make sense.

And certainly they need to cooperate closely with states and local interests on their on their passenger service. You know, just before COVID hit, Amtrak was on the brink of finally being in the black for the first time across their network. Of course, that still doesn't include or that still assumes a lot of grant money coming from Congress. real tragedy for Amtrak what COVID did in terms of hitting it, and it's still still coming back.

But we really need to take a hard look at the the economics.

Sen. Deb Fischer (R-Neb.)

Thank you. Thank you, Mr. Chairman.

Sen. Ted Cruz (R-Texas)

Thank you, Senator Blunt Rochester.

Sen. Lisa Blunt Rochester (D-Del.)

Thank you Chair Cruz and Ranking Member Cantwell. Like many of my colleagues, my office has been getting flooded with calls and messages from thousands of Delawareans. deeply concerned by the federal funding freeze and firings. And when I met with Secretary Duffy, he promised me that he would follow the law.

Congress authorized and appropriated dollars through various programs such as the bipartisan infrastructure law, to help our communities fund critical projects and to bring our nation's infrastructure into the 21st century. President Trump's funding freeze executive order, and Secretary Duffy's more recent cancelation of electric vehicle charging programs, breaks the law. Mr. Bradbury, does the President or any Cabinet Secretary have the authority to withhold funds Congress has appropriated in the 2021 bipartisan infrastructure law.

Steven Bradbury

Thank you, Senator, the Secretary and all of us that DOT need to follow the law and where things are required by law, we need to comply with those requirements, where funding programs have some modicum of discretion at certain points in the process. I do believe it is very fair for the president Secretary to take a hard look at how that discretion has been exercised, what decisions have been made, whether that's consistent with the legislative purpose, whether it makes good sense or is wasteful. And various things may follow from that. It may be that the President may wish to propose to Congress that a program be rescinded or repealed.

It may be that the program

Sen. Lisa Blunt Rochester (D-Del.)

Which makes sense the president can propose that. And your answer is: no They can't break that law. Do you believe the cancellation of the National Electric Vehicle Infrastructure Funding by Secretary Duffy is legal?

Steven Bradbury

Well, I I don't know all the ins and outs of what's happening right now with particular funding programs. I'm confident that Secretary is focused on complying with the law and following through on the President's instruction to pause programs to audit them to take a hard look at how the money is being used. What the effect of it is. I think that's a healthy process.

Sen. Lisa Blunt Rochester (D-Del.)

And the problem is we worked very hard on behalf of the American people pass legislation, got the funding. People have started programs, shovels are in the ground. I don't think it's appropriate to pause something that we passed in law. And as you know, the Department sets the Corporate Average Fuel Economy, also known as CAFE standards, and Secretary Duffy's first action was to reverse those standards.

And we all know it's no secret that transportation is one of our largest contributors to us greenhouse gas emissions. The science is really clear. Why are we going backwards?

Steven Bradbury

Well, I don't believe the Secretary canceled the standards, he directed that there be a review of the standards and that a proposal be put forward to reset change the standards or potentially rescind the previous standards. And I think it's it clearly reflects a view that standards in recent years have gone way beyond what the program was designed to achieve through cash through corporate average fuel economy, and was really becoming an instrument to people.

Sen. Lisa Blunt Rochester (D-Del.)

Can you just confirm confirm? Did you say he hasn't or or it's paused or just I'm just trying to get clarity he hasn't?

Steven Bradbury

He I believe he directed NHTSA to review the standards and propose replacements for them.

Sen. Lisa Blunt Rochester (D-Del.)

Okay propose not change or stop or okay. And and I personally think this reversal should happen is bad for business. I think it's bad for automakers who are seeking certainty from us as the government, and it's bad for the environment as well as, I think a bad bad decision for lowering the cost of goods for American families. As Deputy Secretary of Transportation, you will also once again play an outside 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, Senator Cantwell shared very clearly some of those concerns. We believe that the safety of our families should be a nonpartisan issue. I have some more questions that I will submit for the record, because my time has run out. But thank you so much.

And I yield back.

Sen. Ted Cruz (R-Texas)

Thank you, Senator Blackburn.

Sen. Marsha Blackburn (R-Tenn.)

Thank you, Mr. Chairman. And Mr. Bradbury, congratulations on the nomination. We look forward to moving you out of this Committee getting you confirmed and getting you to work. Because there is a lot that needs to be done.

I appreciate it our our visit, I did want to talk with you for just a moment about banning federal procurement of Chinese drones. And that's legislation that I've had, it's been signed into law. But we know the CCP never stops lying, cheating, stealing, it is kind of their business model. And one of the things that we have found is, even though we've been able to ban some of these companies from the drones, and even though they're on the Commerce Department's Entity List, they're still because of some of these affiliations and murky corporate structures, and partnerships.

They're still selling Evie chargers into the US. And that needs to come to a stop because these chargers just really grab massive amounts of consumer data. And if they're going to be charging stations, and if they're going to be programs, this is something that needs to be reviewed. So where are you when it comes to dealing with these Chinese entities?

And will you work with us on this?

Steven Bradbury

Oh, absolutely. I'll work with you. This is a real serious concern, not just in the particular areas that you referenced Senator, but across the board with lots of Chinese products coming into the US including EVs and other products and the components that go into them. It's a national security concern in terms of sensors collecting data.

And where does that data go? Who controls it? Is it the CCP, etc. But it's also an economic concern, because these products are often subsidized by the Chinese government, and undercutting US industry and potentially gutting US industry.

So it's a very serious concern. I know the President is very focused on that. And I look forward if I'm fortunate to be confirmed, to helping support that effort.

Sen. Marsha Blackburn (R-Tenn.)

Excellent. Also, talk to me a little bit about raising the pilot age. Of course, the last administration, there ambassador to ICAO refused to participate. And this and as you know, keeping the pilot age where it is, is pretty much a giveaway to the pilot union.

And we've gotten a lot of pilots that would like to keep flying somewhat to move from long calls to regional flights. And I think they should have that option.

Steven Bradbury

I think that's something that should be looked at very seriously, because some of our more experienced pilots want to keep flying. And they may not they may have opportunities as you suggest to move from long haul flights. They may be interested in continuing their careers in regional or short haul flights. And it it seems like something that should be we should be open to that possibility.

Just as the Secretary has suggested, it would be good to keep some of our more experienced and seasoned air traffic controllers on the job too, and some artificial age limitation or required retirement age. may not be in the best interest of the country.

Sen. Marsha Blackburn (R-Tenn.)

We agree with that. One thing I did want to put on your radar. During President Trump's first term, DOT took some steps to help combat human trafficking in transportation. I know you're aware of that we would like to see those steps implemented.

Once again, this is an area where I've done a lot of work. And there is opportunity for you all to support that. And we would appreciate that. Memphis, we talked about Memphis a little bit, of course, we are the logistics hub, all of the class one railroads are there the port of Memphis is there.

FedEx, of course, which is the largest Express carrier in the world is there. So our logistics needs are incredibly important. And just as we were so grateful that Secretary Duffy made his first trip to Tennessee and North Carolina to see the damage on I-40, which also runs through Memphis, goes from North Carolina to California, all across the country. And we appreciated his attention to that and the aftermath of Hurricane Helene.

But we would like to get you to Memphis and see firsthand some of our needs there as we are the logistics hub of the country.

Steven Bradbury

I would welcome that opportunity. And those intermodal facilities are so critical to our national freight network and to the economy. It touches every American.

Sen. Marsha Blackburn (R-Tenn.)

Yes, it does. Thank you. Thank you. Thank you, Mr. Chairman.

Sen. Ted Cruz (R-Texas)

Thank you, Senator Baldwin.

Sen. Tammy Baldwin (D-Wis.)

Thank you, Mr. Chairman. Thank you for the opportunity, Mr. Bradbury to meet and have discussions prior to this hearing. That it mentioned that during a Secretary Duffy's hearing, I asked him about the Department of Transportation's finalize rule to discontinue manufactured products. General waiver, we talked about by America standards and rules when we met to discontinue this waiver that had been in place for 40 years, and has allowed the Federal Highway Projects Administration to sidestep by America rules.

It is a straightforward idea. When we use taxpayer dollars to build infrastructure, we should be using American products, we should be supporting Americans, small businesses and workers. So I asked Secretary Duffy for his commitment on following through on this Buy America rule. And I want to ask the same of you.

Are you committed to implementing this final rule as written?

Steven Bradbury

Yes, I am. And I think the President will have a strong emphasis on Buy America as will the Secretary we did in the previous administration. And I would expect that to be even redoubled with this rule change. We now include engineered products in the Buy America requirements.

And we need to be candid, that's going to present some challenges. But I welcome the opportunity to discuss with you yesterday the example that you gave of being proactive, and actually going to those foreign manufacturers where there are instances where there's no other option available, and getting them to invest in the US to support jobs and businesses in the US. And that's exactly what the Buy America requirement is designed to achieve. We have to work very, very hard at it.

But I think we're going to be committed and we're not going to be granting waivers left and right.

Sen. Tammy Baldwin (D-Wis.)

That's very important to hear. And it is about job creation here in the United States bringing jobs that we've lost back and keeping many here on the topic of safety. I want to reference something that the Ranking Member noted in her opening comments. I'm concerned about that record at the Department of Transportation when you were last there in 2019.

Our Committee opened an investigation into the crashes of the two Boeing 737 MAX aircrafts that killed 360 346 people. You led the Department of Transportation's Office of General Counsel at that time, when Chair wickers staff compiled evidence, and it suggested that you intentionally withheld relevant information requested by the Committee and I'm quoting from the report and improperly redacted information and produce documents hindering the committee's oversight investigation. Chair workers staff report concluded that the level of cooperation by FAA and DOT was unacceptable and at times bordered on obstruction. It is a this is cited in a Republican report.

So how can we trust that you are the right person for this job? When it sounds like you weren't the right person in your previous job at the Department of Transportation?

Steven Bradbury

I appreciate the question, Senator, because I really would like an opportunity to respond. On this point. The Department went through what was the most intensive set of investigations, I think in probably in the history of the Department with regard to the 737 MAX disasters, I think it was completely appropriate. It wasn't just the Senate Commerce Committee, it was also the House T and aye Committee.

At the same time, the FAA was inundated with requests. And I believe the Secretary made Secretary Chao made the right decision that it was important for the Office of the Secretary to ensure that there was a full and efficient response to those oversight requests. So what we were doing, was attempting to facilitate the response to the oversight requests, not impede them, not blocked them, or stonewall the requests.

Sen. Tammy Baldwin (D-Wis.)

I'm gonna have to cut you off there because I do have a couple of additional questions, but you couldn't feel it more fully answer if you would like in writing after the hearing on it, just ask a series of yes or no questions, yes or no? Do you support privatizing the air traffic control system?

Steven Bradbury

This is not this is not something I'm going to propose or push to the Secretary

Sen. Tammy Baldwin (D-Wis.)

Do you support eliminating or defunding the Essential Air Service?

Steven Bradbury

As I discussed, uh, no.

Sen. Tammy Baldwin (D-Wis.)

Do you support reforming or repealing the Jones Act? No. Do you support eliminating federal discretionary grants at the Department of Transportation?

Steven Bradbury

No.

Sen. Tammy Baldwin (D-Wis.)

Thank you.

Sen. Ted Cruz (R-Texas)

Thank you, Senator Schmitt.

Sen. Eric Schmitt (R-Mo.)

Thank you, Mr. Chairman. I want to congratulate you miss reverie, enjoyed our visit in the office. And I think that your your track record and your results oriented leadership puts you you know, in a really good position to help lead this Department that in many ways is sort of lost focus of its core mission. I was I will also point out, I've seen you in this Committee more times than I ever saw Pete Buttigieg, which is interesting, little fun fact.

I want to talk to you a little bit we, in our office, we've talked about sort of 21st century airports. And I having grown up in the shadow of Lambert in St. Louis, it's sort of embarking on this. On this new mission.

There's a lot of opportunities. And we talked about it, but I just wanted to reinforce the point look forward to to working with you on that. And maybe have you come out to Missouri and see not just Lambert some other DOT assets.

Steven Bradbury

Thank you, Senator. I look forward to that too.

Sen. Eric Schmitt (R-Mo.)

On the topic of on infrastructure in general, China is in many ways, coming for our lunch on a whole host of things and they're moving at rapid speed on a lot of things, infrastructure projects, clearly in their own country. But the the One Belt One Road initiative in our country is sort of hopefully we get back to focusing on real transportation progress projects here not woke taglines. What are some things that can be done to help streamline that process approvals? Could you talk a little bit about maybe some challenges with the way currently NEPA plays out in these projects?

Steven Bradbury

Absolutely, we have a real opportunity to undertake some fundamental review and reform of the NEPA process and the permitting. Obviously, it's a critical priority for the President because infrastructure projects depend on those permits getting efficiently resolved so that the projects can move forward. The President has issued an order to ensure that that happens, I think there's going to be a complete review of the regulations across the executive branch, each Department and agency with an important stake and infrastructure projects will be redoing their NEPA regulations and I look forward to working with CQ Council of Environmental Quality at the White House and all the other departments and agencies and across government effort to streamline NEPA and there's a lot that can be done to streamline it and focus the review on the types of issues that I think Congress intended when it conceived of NEPA. It should not hold up projects for years.

Sen. Eric Schmitt (R-Mo.)

Well, in the interim, between your time previously, and now a couple of significant court cases have been handed down. EPA versus West Virginia, the major questions doctrine, and of course, the low Pirbright case where the Chevron deference was, was overturned, thankfully. Could you just talk a little bit about how you see the interaction between the Department and the legislature changing a little bit are kind of what you foresee with the with the shifting tides here?

Steven Bradbury

Oh, absolutely. With the Loper Bright decision, it's very clear, we can't creatively interpret statutes to expand our authority into new areas that's discretion that resides with Congress in terms of changing expanding the law and the jurisdiction of agencies. And I think the courts are going to be stricter now in interpreting statutes to ensure we stay in our proper bounds. And the major questions doctrine, very important, and I think that implicates some of the things the DOT has been doing in recent years.

When it comes to massive new regulatory efforts on the part of departments like DOT, that have economic impacts for the lives of Americans across the economy. It's clear, the Supreme Court has said, Wait a minute, it's got there's got to be a clear authorization and statute from Congress, before the agency can entertain that kind of transformational rule. And I really think that's a critical restraint. And we see that with, I believe, with the CAFE program, for example.

Sen. Eric Schmitt (R-Mo.)

A great appreciate that. One last question. So under the FAA, I think we talked about this in my office is the Office of commercial space transportation or AST which is responsible for licensing and regulating all commercial rocket launch and reentry activities. AST is a mess, a total mess right now.

Would you work with me on helping try to streamline that and cut out some of the I think the bureaucracy and get things right with AST?

Steven Bradbury

Absolutely. You know, we did work hard to streamline the commercial space launch regulations last time, but it's clear as the cadence of launches increases, we need to do much more, we need to streamline it further. It's an important function, but we need it to be much more efficient.

Sen. Eric Schmitt (R-Mo.)

Thank you. Congratulations. Thank you. Thank you, Mr. Chairman.

Steven Bradbury

Thank you. Take the promotion.

Sen. Ted Cruz (R-Texas)

Senator Hickenlooper.

Sen. John Hickenlooper (D-Colo.)

Thank you, Mr. Chair. Mr. Bradbury, thank you very much that, you know, I grew up reading the science fiction writer, Ray Bradbury, and obviously buttes a long way away from his domain. But I've met you're the third Bradbury's net voice. It's an unusual name.

Anyway, I appreciate your your journey through Stanford, Michigan, and all your service both in the legal field and in government. I want to talk a little bit about impaired and distracted driving. Obviously, the big issue 13,000 people died in alcohol impaired accidents last year. Nationwide, in Colorado, it's one out of every three highway deaths is connected to some form of impairment.

And we have a standard for impairment with alcohol, but we don't have any standards yet. For people driving while high with marijuana THC. How should DOT work with the Department of Justice and HHS to develop a science base impairment system that we can address this with?

Steven Bradbury

Well, it's a very interesting question. Thank you, Senator, as you know, just as you said, we don't have a blood test or breath test, as I understand it for being high on marijuana driving, and it's a growing problem in the country. I think NITSA has put funds in and worked with local first responders and local sheriff's offices on training for local police and sheriffs and first responders who get to a scene to assess whether a driver is high on marijuana. And it's really a physical assessment at the scene.

And it's very important to have that training and capability available with our local law enforcement and first responders. So there needs to be a lot of support for that. And I believe that the Justice Department could play an important role there through justice grants programs and their law enforcement relationships. So that's that's certainly the first way I would think about assessing that I know that there are technological solutions that are being discussed and potentially on the horizon, and that Congress has directed the Department NITSA, in particular, to look at those options for potentially being part of the new motor vehicle.

And that's something we need to take a hard look at. I'm not sure that the accuracy and reliability is yet there. But we need to continually assess the availability, the cost of that technology, the accuracy, and the reliability because that could be could be a solution. But it needs to be something that's accepted by the American people, if you're going to talk about something that you put in a put in a new motor vehicle,

Sen. John Hickenlooper (D-Colo.)

Right, it'll take the right process to get there to make sure that people buy into it.

Steven Bradbury

I think we're closer for drunk driving. And that's something that may be on the horizon. And it's very important, as you say, 13,000, drunk driving deaths a year, we got to get that number down

Sen. John Hickenlooper (D-Colo.)

That number, just so you're clear on it per lane miles drought driving, that number has plummeted over the decades. So the National Highway Transportation Safety Board has done a pretty good job on that. But we still 13 thousands to many. It wasn't too long ago that it was 30,000.

In terms of aviation safety, we've seen too many accidents, you're aware that and they're not all major airports. I look at airports and so much of it is the volume and their big enterprises. Dia in Denver, Denver International Airport, is a massive enterprise. I was concerned with some of the recent formulas, now we're going to look at birth rates in your state as a function of how some allocations of federal infrastructure investments will be made.

That's concerning. But I also look at it in terms of the smaller airports, which again, in some of the western states, we don't have that high birth rates. And we do, obviously, as certain people tried to encourage that as much as possible. But we've always pursued efficiency.

When we look at government spending and our workforce, and try to target clear goals on things like public safety, and I think in terms of, of our small airports, what's your sense of being able to make sure that we have the staff and the staff with the proper experience to be able to address this at a time when we're facing cutbacks? And I worry that those are the, in many cases, the are viewed as the people that are most expendable? Is there some commitment you can give us to make sure we preserve and if anything, expand that that skill base within our workforce?

Steven Bradbury

I'm sorry, Senator, you're talking about staffing at airports, airport authority, staffing.

Sen. John Hickenlooper (D-Colo.)

So the Air Force authorities are more autonomous, but that to a certain extent, the infrastructure in those small airports is coming. In most cases, it's a blend of federal dollars and local.

Steven Bradbury

That's right. That's right. The grants that FAA administers for new terminals, new runways, etc, expansions at airports, a very sizable grant program that is administered by FAA and certainly we need the staff at FAA to administer the program effectively. And I think as we as we look at achieving greater efficiencies, doing more with less at the Department of Transportation, it's incumbent on the Secretary and I will help him in this regard to ensure that those cuts are done in a way that preserves our capability.

We have the adequate staff to administer the programs that by law we need to administer. And those are important ones. That

Sen. John Hickenlooper (D-Colo.)

And making sure that we have the adequate staff I think is the key word there. I yield back, Mr. Chair.

Sen. Ted Cruz (R-Texas)

Thank you, Senator Moran. Chairman. Thank you,

Sen. Jerry Moran (R-Kan.)

Mr. Bradbury, welcome to Committee. Nice to see you again. I think that some of the things that least one of the things I will ask you has been asked but I have to do it and hear it from you as well.

This is not that topic, but we were clearly involved this Committee in the FAA reauthorization. We made significant attempts in the FAA aviation rulemaking role, to improve the ability for the FAA to timely, provide answers and provide technical standards to enable new innovation in aviation. I come from the air capital of the world where we manufacture many of the planes that are flown today general aviation and commercial. And the challenges we face in keeping up with technology and safety are significant.

And in part, the challenges are attributed to the need for an additional level of workforce at the Department for purposes of completing the tasks, but also having a workforce that has the necessary technical and experience capabilities. You need an experienced workforce so that we can again provide safe and highly technical advice and approvals. At FAA, what would you tell me to make me feel comfort? In large part, I'm asking you how you will implement the FAA reauthorization bill.

Steven Bradbury

Well, thank you, Senator, I really appreciate what Congress has done with FAA reauthorization and the support for the aviation system, the safety of the system, but also the technical upgrades that are needed. And that's a major focus, a major focus. I know, for the Secretary, we're looking at it in terms of air traffic control, but as you suggest, it implicates all aspects of aviation industry. And it's critical for FAA, and Department transportation as a whole to stay up to pace with developments in technology.

And I think that's a new sort of attitude and approach that's being brought to bear right now by the President and the Secretary across the board. We need the latest tools, we need the latest data and data analytics, and computer capabilities. I think that is what the Secretary is bringing to bear and looking at the systems and ensuring that they are up to up to up to speed improved, etc. And we need the people, the people at FAA and in the Department who can who are capable and knowledgeable about that.

So I mean, it's a it's a, it's a big emphasis. Thank you. I

Sen. Jerry Moran (R-Kan.)

Appreciate that. I mean, the promulgation of rules, the policy and guidance has to be timely and accurate, appropriate. And that requires a highly educated trained workforce, as well as a mindset and leadership that recognizes it's important. This is the question that I think you've been asked before, because this is a very rural Committee.

But Essential Air Service is a hugely significant component. Kansas has five airports that utilize Essential Air Service, we are one of the most prolific Essential Air Service states in the country. And I know that you've written about this, but I think you've indicated in your testimony, that you will be supportive of Essential Air Service. And I want to ask that question, do you support a central air service program?

And if confirmed, will you support it in your role as the deputy Secretary,

Steven Bradbury

I will Senator and the president Secretary have made very clear, firm support for central air service. It's clear that the Congress as a whole in this Committee strong strongly support it. And I don't know that I've personally written on essential air service. I know some of the theoretical arguments for and against, and the fact that it was originally intended to be temporary, it's obviously important, and as Congress has made the judgment that it's here, and we need to support it.

So I'm definitely on board with that. I

Sen. Jerry Moran (R-Kan.)

Appreciate that answer. And I'm sorry that I suggested you wrote about something that you may not have written about. Yet, I don't know whether this has been asked this morning. But we are still in recovery in Kansas and across the country with the disaster, the tragic accident that occurred at Reagan several weeks ago now.

I have an agreement with the FAA, the Secretary that the operations in regard to the army helicopters at Reagan will remain paused during the NTSB investigation, and that we would be notified if there was a change a plan to change that feature. Does that comport with what? You know, I should feel comfortable in believing that still to be the case today? I

Steven Bradbury

I'm not up to speed on on that. I mean, I don't know. But I'm sure the Secretary will follow through on his commitment to you. And I certainly would support that seem to me, that was a horrible accident that was entirely avoidable, and just a terrible tragedy.

Sen. Jerry Moran (R-Kan.)

And I think I've got 19 seconds, but I'll yield back to the Chairman. Thank you. Thank you, Senator.

Sen. Andy Kim (D-N.J.)

Senator Kim. Thank you. Thank you for coming before us. I guess I just wanted to start by talking about, you know, a massive priority in New Jersey.

I mean, one of the largest construction infrastructure projects in the nation is occurring right now between New Jersey and New York called the Gateway project. And I know that, you know, the federal government can and get get involved in every single infrastructure project, every single transportation project in the nation. But, you know, I believe that there needs to be some process of triaging and prioritizing. So I guess I was just wanting to ask you, do you believe that the Gateway Project is a critical infrastructure project that has both regional and national implications?

Steven Bradbury

Yes, as I as I mentioned to you yesterday, I definitely view that as a national project of national importance And we need to ensure that it's done efficiently and that the dollars are well spent. That's true for every major infrastructure project we fund. But but that one that connection up and down the northeast corridor from New Jersey to New York, and the role that the New York metropolitan area plays certainly, of national importance. Yeah,

Sen. Andy Kim (D-N.J.)

No, I don't discount the need to be able to make sure we're being good stewards of the resources of this nation. And you know, this project so far as on time and under budget. So, you know, we're excited about that, I guess I wanted to ask you, you know, can we count on your support to be able to keep this project going, keep the funding go, and it's already underway. And obviously, as you know, putting the brakes on on the on any construction project, let alone one of this magnitude can just be really debilitating honestly, raise costs even more.

So I just wanted to hear from you if we can count on your support for this.

Steven Bradbury

Well, I will support the Secretary in the department's commitment to projects such as a gateway project. And so I will not be making that decision, any of those decisions myself, but I understand the importance of the project worked on it the first time around. Well, I think we had a good discussion about the tunnels and what can be done with the existing tunnels and and and the new and the new tunnels that are in the planning. And I would hope to be involved in a very supportive way in helping the Secretary follow through on these projects.

Sen. Andy Kim (D-N.J.)

As we're investing in this you know, big reason why we're doing so is to be able to make transit, especially for passengers, commuters more reliable Amtrak I told you about the challenges we faced with NJ Transit as well. A lot of questions about funding for Amtrak. A lot of proposals in the past here in this building about slashing Amtrak funding. Do you think Amtrak is is funded to the level that it needs to be?

Do you believe that there is room or your perspective for cuts or greater investment?

Steven Bradbury

Well, I think it's it's always incumbent on us to take a hard look at how the money is being spent. And whether it is achieving the goals, whether the system is being operated efficiently.

Sen. Andy Kim (D-N.J.)

Well, I guess I'll ask you, do you think that the funding for Amtrak is achieving its goals? From your experience before the Department of Transportation? What did you feel?

Steven Bradbury

Well, as I mentioned earlier, you know, we were we were very hopeful back at the end of 2019. We were looking at coming into a new year where for the first time Amtrak was projecting it would be in the black across its network. And of course, then the bottom fell out with with with COVID. I look forward to taking a hard look, Senator, to be to be frank, because there's a lot of money in the system.

Yeah, we just need to ensure that it's appropriate. And it's being well spent. I don't

Sen. Andy Kim (D-N.J.)

Discount that. It's just you know, I hope I can hit home to you just how critical this is for reliability and for the ability for people to heal to get to and from work. I want to just build on something one of my colleagues asked you about your role on a well, your perspective on privatization of air traffic controllers, you said that you weren't going to necessarily be the one that pushes that proposal for but I guess I just wanted to ask you, do you believe that privatizing air traffic controllers is a good idea?

Steven Bradbury

Well, you know, Canada has done this with transferring air traffic control to a nonprofit corporation. There were, it was seen as a very efficient solution. And as I think, you know, Senator, President Trump did put forward the idea and support the idea in 2017. Congress, in its judgment, deliberated over it and did not accept it.

And again, we see in the recent FAA reauthorization, as I understand it, there were further debates. And again, it was not something that was made part of FAA reauthorization. And so my comment is that I don't anticipate that I will be spending time promoting or pushing this the Secretary of Transportation to recommend to the president, this because it just isn't something that's been embraced by Congress as a whole. There are good arguments for it.

There may be a good solution down the road. But that will be for Congress to judge and decide.

Sen. Andy Kim (D-N.J.)

Okay, thank you. I yield back.

Sen. Bernie Moreno (R-Ohio)

Thank you for being here, Mr. Bradbury. And as I recognize myself, right now to speak, let me ask you a question. You're being asked to be confirmed as the Deputy Secretary of Transportation for United States of America. So first question I'd ask you is what's the most common form of transportation And that Americans use on a day to day basis,

Steven Bradbury

The automobile, Americans love their cars. And we have billions of trips by auto every year in the United States. So let's

Sen. Bernie Moreno (R-Ohio)

Talk about the car business, something near and dear to my heart. What's, what is the impact of regulation after regulation after regulation on the auto industry in terms of the cost of automobiles? Well,

Steven Bradbury

Regulations have costs and those costs are passed by the manufacturers down the line to the American families, the Americans who buy those automobiles or want to try to buy those automobiles. So the effect is on affordability of new automobiles. And that's a critical issue. We want new automobiles to be affordable.

We want Americans to buy more new automobiles. And it's not just to support the auto industry as an important part of our industrial base. But it's because new cars and trucks are safer, significantly safer than old used vehicles. It's a statistics show that so affordability isn't just an economic issue.

It's a safety issue, too. Well,

Sen. Bernie Moreno (R-Ohio)

Thank you for that. And if you look at the constitutional role of the federal government, would you agree that it's uniquely the role of the federal government to regulate interstate commerce?

Steven Bradbury

Yes, the Constitution gives that to Congress. So many,

Sen. Bernie Moreno (R-Ohio)

I think what the founders had in mind is not give any individual state the ability to do something different, that would impede interstate commerce. So the idea that, hey, we're a united country, and we should have standards that when they cross state lines, that you have one federal standard that is that fair to say, is that what you think they had in mind? Yes,

Steven Bradbury

And I think that's what they have in mind for the CAFE program, for example of fuel economy standards. One of the things we emphasized in the first Trump Administration was the goal of having one federal standard for fuel economy in the United States, I believe that's what Congress decided, decided on. And it's important that we have that consistency, you cannot really build different fleets of vehicles for different states in the United States. That's not an efficient way for an auto manufacturer to to function, because

Sen. Bernie Moreno (R-Ohio)

Again, it adds cost to the car. And it adds cost to the government because the government has to look at these waivers. So in your mind, when you have California that's had a carve out for 51 years, the ability to set a different set of emission standards. Has that made the auto industry healthier or less healthy?

Well,

Steven Bradbury

I do think as your indicated, it has imposed costs that are passed along to car buyers all over the country in every region of the country. Now, when Congress first conceived of this exception for California is because of the terrible smog experienced in the LA basin primarily. And auto new vehicles have gotten much cleaner in terms of those smog causing pollutants. So I think there's a real question whether it still makes sense.

But when you start talking about the climate regulations, the greenhouse gas restrictions and carbon dioxide restrictions that California has put on automobiles, inevitably, that affects the fleet across the country. And it affects the affordability and costs that American families are forced to pay for new new motor vehicles in every region of the country.

Sen. Bernie Moreno (R-Ohio)

So it's fair to say that the the people I represent the state of Ohio are paying more money for the automobiles that they buy because of rules by out of control bureaucrats in California.

Steven Bradbury

That is fair to say. Yes. And interestingly, because

Sen. Bernie Moreno (R-Ohio)

I think what will go back to the Constitution, I think what the Constitution had in mind is it didn't want to have crazy state people making decisions for the rest of the country. And when you have California, which is saying, Hey, by 2030, you can't basically have Two-thirds of the cars have to be electric by 2035. All of them have to be electric actually move that forward. It seems like those are guidelines that Greta Thunberg think is a good idea.

But I don't think automotive engineers would think it's a good idea. I'll ask you this, Mr. Brad, very straight up. You know, I think senators think they're pretty powerful people. I think politicians think they're pretty powerful people.

Do you think politicians can bend the laws of physics?

Steven Bradbury

No, no, I don't know the laws of economics. I don't know

Sen. Bernie Moreno (R-Ohio)

That they know that. Because I think when you look at it and say, well, let's do more Cafe centers reduce this. And look, we're all for that. I don't think there's anything special about California that are Californians that they should have better air than Ohioans.

I just think that we have to be realistic about what's technologically possible. And I think it's well past due after 51 years, that we go back to our constitutional principles. I have one federal standard that is actually achievable and attainable, based on what we understand technology to be. And I also think and I want to ask your response to this, do you think that giving the industry certainty and saying, Hey, here's the rules of the road for the next 10 years, so that they don't have to worry about some lunatic in California, coming up with a rule that's completely unattainable?

Do you think that that would be healthy for our auto industry to compete worldwide?

Steven Bradbury

Oh, absolutely. And I think that's what Congress intended. And unfortunately, in recent years, we've seen dramatic swings in the regulatory landscape. And you hear from automakers all the time that that's the last thing they want to see is those those swings, and, but as you say, regulations can't achieve an aspirational result.

That's not really consistent with economics, or, as you point out the laws of physics. So I think we need one reasonable federal standard. And I really believe that's what Congress intended, particularly for the fuel economy.

Sen. Bernie Moreno (R-Ohio)

Thank you for your testimony. I look forward to working with you once you're confirmed. Thank you, Senator. And I recognize Senator Luján.

Sen. Ben Ray Luján (D-N.M.)

Thank you, Mr. Chairman. Mr. Bradbury, thank you for being with us today. I'm going to start with some yes or no questions. And I'd appreciate it if you could just keep them to simple yes or no.

If at all possible. Will you follow the law?

Steven Bradbury

Yes, Senator.

Sen. Ben Ray Luján (D-N.M.)

Yes, sir. No, Mr. Bradbury is improving safety on our roadways a priority for you? Yes. Yes or no?

Do you believe that technology plays a role in making cars safer? Absolutely, yes. Yes or no? Do you support the utilization of technology and cars to reduce collisions like radar and LIDAR?

Steven Bradbury

Yes, and I see a lot of positive innovation, a lot of investment in these new technologies, which really have a great potential to save lives.

Sen. Ben Ray Luján (D-N.M.)

Appreciate that. Yes or no? Do you support the utilization of advanced driver assistance systems to reduce roadway fatalities? Again,

Steven Bradbury

Yes, we see the automakers investing in this we see car buyers interested in the technology, and it has great potential to help save lives. This is a different question from whether technology should be mandated by the federal government to be a required component of every new vehicle. That's a calculus, a cost benefit calculus, because again, we can go as 100% on everything as a mandated requirement of the federal government, but it's going to affect the bottom line, it's going to affect the affordability of vehicles. And that always has to be kept in mind.

One thing is critically important is to preserve the incentives that the industry has to invest in this new technology and continue the improvements not necessarily dictated by the government to do it. But but to do it because it makes their products better, more attractive, more valuable to customers and safer. And its safety has got to be the objective, but affordability is unavoidable component of that which is more important. Its safety is always of course more important.

I appreciate

Sen. Ben Ray Luján (D-N.M.)

If you answered the question people are not maybe I'm out almost out of time. Mr. Bradbury, I appreciate you saying that because safety matters. People die on the roads. Too many people dying early 1990s I was hit head on by a drunk driver.

I'm thank God I'm here. But there's 10,000 people a year who are not. That's right. You know them, we know them.

My colleagues know them, and

Steven Bradbury

40 to 41,000 fatalities on Americans high America's highways every year that numbers is persistent, and we need to drive it down. Sadly,

Sen. Ben Ray Luján (D-N.M.)

It is I appreciate you saying that. Um, do you support autonomous vehicles? I'm very excited about autonomous would you mandate this technology in autonomous vehicles, mandate, let technology everything I just went over radar, LiDAR, all of these safety features would be I

Steven Bradbury

Would be well. We need a consistent national framework for the development of autonomous vehicles, automated vehicle technology autonomous appreciate

Sen. Ben Ray Luján (D-N.M.)

That. Would you mandate technology in autonomous vehicles or if someone creates an autonomous vehicle, they can just do whatever they want, based on making it more affordable. Those

Steven Bradbury

Are not the two choices, Senator. I would be reluctant to mandate a menu of technologies and tell the industry how the vehicle needs to operate. I think we want to preserve incentives to innovate and offer new products and then we need to ensure safety through a process of certified Haitian are a process of testing. And that's really what we need is a framework that's reliable repeatable for testing autonomous vehicle systems to ensure safety.

And then this is the way our system has has worked for auto safety in the in this country. Other countries may do it differently. They may dictate up front what the requirements are, and require sort of pre approval certification. We recognize that we want to preserve incentives for investment and improvements in an industry, subject to testing.

And then of course,

Sen. Ben Ray Luján (D-N.M.)

Let me ask this question. Mr. Bradbury, do you support the use of driver monitoring technology both inside and outside the car? I think

Steven Bradbury

That is a question that will depend on the the accuracy and reliability of the technology and the cost impact of the technology. And, as I indicated, I look forward to and I know this is a subject of great importance to you, in particular in many members, I look forward to working with you and members to understand better the capabilities of the technology. And I look forward to talking with the folks at NITSA as they've collected comments and input in connection with there really was an advance notice of proposed rulemaking Mr.

Sen. Ben Ray Luján (D-N.M.)

Bradbury, you on your own submitted some comments to the record in this case, and you said that, quote, If NITSA were to mandate installation of technologies that could at any point take over control of a vehicle on the road, all Americans freedom to use their cars and trucks would be conditioned on the operation of that technology and could be snatched away. All this technology is required and autonomous vehicles. I haven't even gotten to what I'm trying to get to which you're absolutely correct. I care about saving people's lives in a bipartisan way working with one of the most conservative senators here, Rick Scott out of Florida, we were able to earn votes of our Democratic colleagues three years ago, under the Biden Administration under Pete Buttigieg.

They dropped the ball. They didn't finish the rulemaking, I asked Senator or Secretary Duffy about this. I didn't know this, he shared that his wife survived a head on collision. That's right.

As well, he knows what's going on here. That's reason I'm trying to get to the bottom of this. When we talked about autonomous vehicles and innovation in America, America should be the driver here. And it's going to be expensive.

It's going to be expensive. But we need to keep people safe so that when they choose to buy that vehicle, they're not going to die, and they're and they're not going to get killed on the road. So I certainly hope that we can get to this place and and just get something done. My last question about following the law.

Mr. Bradbury is Do you commit to follow the law concerning finalizing the impaired driving rulemaking?

Steven Bradbury

I will, we will follow the law as directed by Congress with regard to that. And we will, we will proceed forward. And as I indicated, I look forward to seeing the information that's come in and talking to industry talking to those who know more than I do about what that technology can can can can achieve. I believe that's what Congress wanted NITSA to do.

And I recognize that some forms of that technology may be closer than others. So for example, the technology and a starter button that consents to the skin, blood alcohol content, and might prevent a car from being started. That's the kind of technologies that may be closer on the horizon in terms of accuracy and reliability. And

Sen. Ben Ray Luján (D-N.M.)

Mr. Bradbury, please send some additional response to the record. I know I'm over time here. But it might surprise you.

If you're not aware that I think Volvo Subaru, their cars already have this technology, they're driving on the roads and other countries. They're not here yet. But nonetheless, the technology has been improved. And if you go to the auto shows, like I like to do, you can get in and check it out.

I mean, it's pretty incredible what they've done. I look forward to this legislation did what it was supposed to it got the market to respond. Major auto manufacturers are filing the patents to do this stuff. It's quite incredible.

When you can touch the those conditions and then you let the innovation just get out there and solve these problems. But we can save people's lives. Thank you, Mr. Chairman. Thank you.

Sen. Bernie Moreno (R-Ohio)

Just a real very fast question back to you. Let's say that we do that mandate everything. Look, as a former car dealer, let's load up the car with every option possible. The price of cars has gone from 40,000 to over 50,000.

People will buy less cars that because they don't want the technology they can't afford it. What's better, have newer fleet of cars, where people buy more new vehicles, or these insanely expensive really cool cars with all kinds of crazy technology that nobody can afford. So they keep their old car what makes the entire fleet safer.

Steven Bradbury

I think as we put your finger on it, you know The average age of the automobile in the US fleet is approaching 13 years. This is a serious national problem. We have have older and old, we have cars that are 25 and 30 years old, on the on the road that have gone through four or five, six different owners, these are far less safe in a highway crash than newer vehicles. So affordability is a critical component of safety.

It also as a critical component of economic happiness and quality of life for Americans, we we should want Americans to buy more new vehicles. And that really should be shouldn't be a goal. So that's why I say it has to be a balance.

Sen. Ben Ray Luján (D-N.M.)

Chairman, I'm not asking for the cars to fly. I just don't want people to die. That's all. You're asking find common ground here.

Sen. Bernie Moreno (R-Ohio)

We're asking to be insanely expensive and unaffordable, and people keep their cars. I recognize Senator Peters. Thank

Sen. Gary Peters (D-Mich.)

You, Mr. Chairman, Dr. Berry, good to see you. Congratulations again on your nomination. And thank you for spending some time in my office going in depth on a variety of questions. Mr. Bradbury, one of the key responsibilities of the Department of Transportation, through the National Highway Traffic Safety Administration, as you will know, is to thoroughly and transparently investigate and hold accountable auto companies when their vehicles are operating in an unsafe manner on our roads.

This is especially true for autonomous vehicle technology when that is in play. And as you know, I strongly believe that autonomous vehicles will play a huge part in improving roadway safety. But that can only be achieved if there is public trust, which we talked about in my office in these technologies. And that only comes with with full transparency and accountability.

So the public truly trust this technology and its capabilities of either or they don't have abilities to have understand exactly what they're dealing with. Tesla, unfortunately, has been probably the worst actor in this space. There's currently an open investigation into Tesla's quote unquote, full self drive, which it's not they market that is full self drive technology. And a de there's a history of Tesla misleading consumers regarding what that technology is actually capable of doing.

And unfortunately, that has led to two deaths as a result of that. So my question for you, sir, is given Alon Musk close relationship with the President, and his significant role digging into the operations of every agency through his so called DOJ Are you fully committed? And will you fully commit today to ensuring that the Department of Transportation holds Tesla accountable? If you are confirmed?

Steven Bradbury

Yes. And I believe the Secretary was very firm in saying he would not treat any particular company favorably visa vie other companies. In other words, we would have a fair and objective approach, and particularly with particular regard to NITSA, his recall investigations on these on these important issues. And so I can make that commitment.

Yes.

Sen. Gary Peters (D-Mich.)

Okay, good. In our meeting, you and I discussed the role of Congress in making the law versus the role of the executive branch and in enforcing the law and faithfully executing the law. You told me that if the president disagrees with certain programs, he should ask he should ask Congress to act to change them. You confirm that that's how the system, I don't want to quote you misquote you.

But you said that's the way it should should act. As my understanding. However, this administration doesn't seem to respect the separation of powers, and appears to be pursuing an agenda to pick and choose which laws to enforce and pick and choose which grant funding to follow through on as well. Many of these grant programs from Great Lakes port infrastructure development to new bridge funding to passenger whale rail projects are certainly absolutely essential to Michigan and states across the country.

Legally awarded funding for these projects shouldn't be ripped away, because the President may have a political issue with it. So my question for you, sir, is if confirmed, will you oppose any attempt to withdraw infrastructure funds that have already been announced for infrastructure projects through the Department of Transportation? Well,

Steven Bradbury

Senator, I think, first of all, as we know, of a huge amount of additional spending and money has been announced and has been and has been awarded in recent weeks and months. And I believe it's entirely fair for the President and the Secretary to want to take a hard look at how that money is being spent. And in lots of these programs, as I indicated earlier, there are points in the process where there's discretion for the Secretary and decision As can be made, and I think we need to audit all of those and take a hard look. And I do.

I believe that's what's what's really happening. And I think that's a fair process. I think the American people expect that we want to ensure that we're prudently and responsibly using the taxpayer dollars. That's that's not the same thing as the executive branch, overriding the role of Congress, in its appropriation function and its lawmaking function.

I absolutely agree that the constitutional structure is Congress makes the laws Congress appropriates the money, the executive branch executes and implements those programs. But in all lots of these programs, there is some discretion

assigned to the executive branch and exit can exercise. And we just need to be ensure that that is being exercised responsibly. And we're not.

We're not inserting unnecessary requirements that detract from the effective use of the money, for example. And then as I mentioned, there may be cases where the President believes a program is simply not is wasteful or not achieving a useful purpose and needs to be reconsidered. I think it's fair for the President to put that forward to Congress. Are you mister?

Sen. Ted Cruz (R-Texas)

Recognize Senator Markey. No,

Sen. Ed Markey (D-Mass.)

Thank you so much. And Mr. Bradbury, I've been in Congress long enough to remember when the auto industry used to say it's not cost effective to put airbags in vehicles, raises the cost of the automobile and didn't want to do it fought it. But hundreds of thousands of lives have been saved because of the index. What price you put on that?

All those lives to the same. So I just raised that as a rhetorical question. It was robbery. Thank you for being here.

In the last few weeks, Elon Musk and the DOGE team have wreaked havoc on the federal workforce through buyouts and mass layoffs. Despite assurances from Secretary Duffy, that public safety workers would be spared, and critical categories of workers such as FAA technicians and engineers that inspect aircraft were fired. Musk and his group of unqualified cost cutters say they are doing this in the name of rooting out waste and excess in federal programs. Mr. Barbara, you worked at the Department of Transportation during the first Trump Administration.

Did you witness significant waste in excess during your tenure, during the Trump years at the Department of Transportation?

Steven Bradbury

The Department of Transportation has an important practical role. And I think the career staff that DOT carries out that role with with dedication and professionalism. I admire them greatly. It was not my experience that there was a lot of excess staffing.

I do know that staffing has increased considerably since then the funding has increased considerably. There are a lot of new people who no that's not

Sen. Ed Markey (D-Mass.)

Accurate. When when you left, there were 57,000 employees at the Department of Transportation. In today, as we sit here, there are 57,000 employees at the Department of Transportation. And as you just observed, you did not witness access when you were there with those 57,000 workers in today, the workforce is the same.

So obviously, I'm a little confused. Where you know, where the excess might have been created? If it's the same number of workers, if I

Steven Bradbury

May, we can always get more efficient. industry does that. And there's always a need to take a look at, where we can do more with less where we can improve outcomes with greater?

Sen. Ed Markey (D-Mass.)

That's a different question. Okay. That's a different question. Okay.

You could have made it a lot more efficient is if if that's what you're saying during your time during the Trump ministration. And, and I wish that you had but to then impose that on on on Department of Transportation with the same number of employees, I think is unfair. So this is without question, you know, going to be a difficult subject area. But the burden of proof to prove that there's excess is clearly on the administration, not just an assertion of it, given the fact that there was plenty of opportunity for four years for it to be routed out in the previous administration.

And for the sake of argument, let's say DOT has suddenly become bloated over the last few years. If an administration were intent on rooting out that excess, do you agree that identifying the cause decision to cut without risking public safety would take a little time.

Steven Bradbury

Well, it's an important goal, it's critical. And I think the Secretary is committed to that. And it needs to be managed. And I would look forward to being involved in helping him manage that process.

Sen. Ed Markey (D-Mass.)

So it is fair to say it will take some time, then, given the fact that there were four years during the first time administration rolled it out. And we take a little time right now to identify that excess. In other words, it's just to contrast that approach with what these DOGE boys are doing inside of agencies right now they're doing just the opposite. They're going in and slashing without having done the evaluation that professionals like yourself, had an opportunity to do, and they have no professional background in doing it.

Steven Bradbury

My impression is what's involved is very smart people with new analytical tools that haven't been available perhaps or haven't been used in government previously, can very efficiently identify areas of obsolescence areas of waste areas of inefficiency, and we can address those.

Sen. Ed Markey (D-Mass.)

And again, I'm not disagreeing that there could be a study, but I don't think four weeks really is enough time to have analytical tools applied to an area of expertise where there has been no access to it up until just January 21. Of this year. So that's where the problem sets in. Because brilliant people like yourself, were not able to do it.

And, and with all due respect to the DOGE boys, I don't think that they have a superior knowledge of the internal workings of the Department.

Steven Bradbury

I'm not a software engineer, I'm not a brilliant tech person. But it does seem sensible to bring in some of those.

Sen. Ed Markey (D-Mass.)

Again, I don't have any problem with bringing in new approaches, but software is only the information you put into it. It's who writes the analytics, okay. It has nothing to do with the, the zeros and ones, it's all has to do with what was the assessment of the actual factual information put into it. And four weeks is not enough time to figure that out.

No matter how smart you are, you can write an algorithm but only with the information that is given to you. So there's just no way that the administration is conducting a careful review of the cuts and its impact on public safety. And there's no reason that don't use targeting probationary employees first, it's, it's not because they are the most expendable, the worst performance is because they are the easiest to fire. And really, that's what it's all about, but it can directly endanger American lives, if it's not done correctly.

And that's why today this morning, I sent a letter with 12 of my Senate colleagues, in a letter to Secretary Duffy urging him to cease these dangerous workforce cuts and demanding answers about where the layoffs the buyouts the firings are happening within the Department. So this transparency so we can understand where the cuts are. So we can see where the safety risks of may be. So otherwise, it's just reckless endangerment that will be occurring.

So I thank you, Mr. Chairman, and I look forward to working with you Mr. Weber.

Steven Bradbury

Thank you, Senator.

Sen. Ted Cruz (R-Texas)

Senator Cantwell.

Sen. Maria Cantwell (D-Wash.)

Thank you, Mr. Chairman. Mr. Weber, I wanted to go back maybe a teeny bit of an expansion of what my colleague was just asking. Do you think there is a possibility that Elon Musk has conflicts of interest as it relates to the FAA?

Steven Bradbury

Well, certainly has business interests through SpaceX, that FAA is involved in regulating licensing. And so I think it's important to be to ensure and be diligent that conflicts are not involved.

Sen. Maria Cantwell (D-Wash.)

What do you think those conflicts look like?

Steven Bradbury

Tell me so I don't know the width? The specifics would be well, you know what the law says, right? You know what the law says? Yes.

And I think the President has made it clear

Sen. Maria Cantwell (D-Wash.)

That President obsemp exempted him illegally, I am sure from the conflict of interest. And now he has real conflict of interest. And so I'm just getting trying to understand from you as the General Counsel and a nominee, where you think that would cross the line, because we already know that he basically has launch interests. And we already know that he got mad because he got fined for launching at a time when the FAA told him not to launch and then said that guy should be fired.

So there's all sorts of issues right there. But now, I'm asking what do you think would be the bright lines that you would be concerned about?

Steven Bradbury

Well, I think that the individuals involved in these activities, as I understand it, are coming in as employees of the Department maybe on a temporary basis, but employees I think goes through [CROSS TALK]

Sen. Maria Cantwell (D-Wash.)

A part an employee of that Department if he has business before that department sure that doesn't exist anywhere.

Steven Bradbury

I'm pretty sure that Elon Musk is not an employee of the Department. Okay. But the people involved in actually the activities under the supervision of the Secretary, are employees of the Department and go through all the conflicts checks and requirements that are necessary for those two onboard those temporary employees and in terms of what they're engaged in. So there I believe there is a conflicts check process that go that, that

Sen. Maria Cantwell (D-Wash.)

Do you think he should sign a conflict of interest agreement, making sure that he avoids conflict of interest?

Steven Bradbury

I don't

Sen. Maria Cantwell (D-Wash.)

Why wouldn't that be good, prudent business? Why would that just be good, prudent business,

Steven Bradbury

Well uh

Sen. Maria Cantwell (D-Wash.)

Given this, this issue of we just had this crazy, unfortunate, tragic situation where DOT and FAA weren't talking to each other? And clearly no one was in charge and responsible for like, why in God's name, are we allowing these two paths to intersect so closely, and now we have this increase? This Committee has dealt with this a lot, this increase in demand for Spectrum and FAA launch, and everybody has lots of different issues of when they want to do various things. So it's, it's already a challenged environment.

So why would we? Why wouldn't we be concerned that somebody who's already taken a swing at the agency because they have commercial interests, that they wouldn't be influencing the safe this whole safety regime, which has been the center of our discussion this morning?

Steven Bradbury

Well, I view the whole DOGE effort as a way to take a hard audit, look at systems, personnel, staffing, funding, and regulations to identify potential areas of inefficiency, things where it's not functional. I think

Sen. Maria Cantwell (D-Wash.)

Here's what I heard that answer. And I appreciate that to my colleagues. So I'm not focusing on DOGE as much as I'm focused on where to conflict of interest. So why don't you take that for the record and decide where you think a conflict of interest is and where where you think that line would be crossed?

And now it'd be very helpful to know from you, thank you, thank you.

Sen. Ted Cruz (R-Texas)

Thank you, Mr. Bradbury. My final question is required of all nominees. If confirmed, do you pledge to work collaboratively with this Committee to provide thorough and timely responses to the committee's requests and to appear before the Committee when requested?

Sen. Maria Cantwell (D-Wash.)

Yes. Thank you.

Sen. Ted Cruz (R-Texas)

I have 23 letters of support from various organizations for Mr. Bradbury's nomination to be Deputy Secretary of Transportation. I asked unanimous consent that they be inserted in the hearing record. Without objection, so ordered. Senators will have until the close of business on Friday, February 21.

To submit questions for the record. The nominee will have until the close of business on Monday, February 24. To respond to those questions. That concludes today's hearing.

The Committee stands adjourned. [END]