

**U.S. Senator Maria Cantwell**

**Floor Speech Opposing Nomination of Steven Bradbury**

**March 11<sup>th</sup>, 2025**

[\[AUDIO\]](#) [\[VIDEO\]](#)

**Sen. Cantwell:** Thank you, Mr. President. I come to the floor this morning to speak in opposition to the nomination of Steven Bradbury. He is nominated to be the Deputy Secretary of Transportation.

When it comes to transportation safety, we don't measure success in dollars saved. We measure success in lives protected and tragedies prevented.

Last week I met with the parents of Sam Lilley, the first officer of the American Airlines plane that fatally collided with a U.S. Army Black Hawk helicopter at DCA Airport. Sam's father happens to be a commercial pilot now, and before that he flew Black Hawk helicopters in the military. He expressed his concern about reports that the Black Hawks are regularly being operated in this busy airspace without the Automatic Dependent Surveillance-Broadcast, commonly known as ADS-B, turned on.

We know that the Black Hawk in the January 29th collision wasn't transmitting. We hope that we will find out later today in the NTSB report that is listed what we need to do to fix this problem.

We know that during Mr. Bradbury's first tenure at DOT, he let the FAA create exemptions to permit military aircraft to operate without this key safety technology transmitting. And guess what? The military knew, and knew that they had been granted a loophole, but they said it would not be used all the time, only to find out later that the military said they were [using] the exemption 100% of the time.

My heart goes out to the Lilley family and to all the families of the victims of this tragic accident. It didn't need to happen. That is why last week I wrote Secretary Hegseth to ask about the Army's letter from 2023 stating that 100% of its helicopters fly in the DC area with this ADS-B technology not activated.

We can't afford another light-touch approach at the Department of Transportation when it comes to safety. We cannot. It simply does not matter if you're saving dollars if you're not saving lives. Unfortunately, I believe the president's nominee to be Deputy Secretary of the Department of Transportation, Steven Bradbury, has shown more interest in a light-touch approach that benefits industry more than being a champion for safety.

During his nomination hearing, I questioned Mr. Bradbury about his record as previous General Counsel for the Department of Transportation during the first Trump Administration. In this capacity, Mr. Bradbury played a key role in orchestrating the rollback of multiple, multiple safety requirements under the guise of advancing a reform agenda.

For example, under his watch, he prevented requirements for truck drivers - there was a fatigue prevention requirement for truck drivers - which he loosened. The vehicle safety recall investigation reached an all-time low, and meanwhile, road fatalities increased.

Under his watch, there were a number of rail safety requirements that were also waived. The Department of Transportation withdrew its 2 person crew rule. This was a rule that people had recommended after derailments in the United States and in Canada, including a runaway oil train in Quebec in 2013

that derailed and killed 47 people. And during this same time period, the main line derailment rate increased, all during Mr. Bradbury's tenure.

Perhaps, though, the most troubling of all, is Mr. Bradbury's watch during the rulemaking on what is called a Safety Management System for aviation manufacturers like Boeing. Just nine days after the first 737 MAX crash in 2018, which resulted in [189] deaths, there was a rule that said - being proposed - that the Safety Management System should be a mandatory requirement. Not voluntary. Don't tell an industry that has to manufacture planes, "It's okay, you can voluntarily comply with some of these rules." No, no, we need requirements that manufacturers must meet.

As my colleagues on the Commerce Committee know, a Safety Management System rule for aviation manufacturers would have instituted a comprehensive process for analyzing, predicting, and ultimately mitigating risk. The Safety Management System is considered the gold standard now, around the world. If you want to have safety, you have a Safety Management System. It's a more robust process.

And I question how Mr. Bradbury, at DOT, after the first Indonesian 737 MAX crash, didn't see or understand the need for critical information and analysis that a Safety Management System would have put in place, particularly because the FAA continued to let the MAX plane fly, and part of the process in question is whether they considered the critical analysis that Boeing had done to allow the plane to fly and what the FAA's role was.

So following the tragedies of both 737 MAX crashes, the Commerce Committee, led by then-Chairman Wicker, launched an investigation into the crashes to find solutions and prevent the disaster from happening again. But what did Mr. Bradbury do? Did he work with the Committee to improve safety for the flying public? No. No, he did not.

He basically thwarted Senator Wicker and the Committee's efforts to get the information about what the FAA had done. Make this clear here today, our colleagues need to hold the FAA accountable. If you don't hold the FAA accountable as the oversight body, fat chance the FAA is going to continue to do its job as aggressively as it needs to.

So, Senator Wicker's office said, "Mr. Bradbury intentionally withheld relevant information requested by the committee." He made our investigation very hard. In fact, Senator Wicker later said "He deliberately attempted to keep us in the dark. And by that I mean our investigations, our staff, our committee, and me."

Now I have great respect for my colleague, Senator Wicker, but the Bradbury findings and [his] stymieing us, as a committee, to do our oversight job, gives me serious questions about his level of transparency.

The families of the 737 MAX crashes wrote to Chairman Cruz last month to express their concerns about Mr. Bradbury's role in obstructing the Committee's investigation into the crashes that took their loved ones' lives. They also voiced concern about Mr. Bradbury's role that led to the delays in holding Boeing accountable to implementing a true mandatory Safety Management System.

Now, during his hearing, Mr. Bradbury suggested that the rule that was to be proposed by the previous [Trump] Administration that made it mandatory for manufacturers to have a Safety Management System was held up because some small businesses didn't want to meet that requirement.

Do we not believe that businesses are going to object to some rules? They do. They do all the time. But that doesn't mean scrapping the rule altogether, which is exactly what happened as far as the mandatory requirement.

Well, lucky for the consumer, our committee, in the aftermath of these two crashes, got legislation passed that said, “Yes, you have to have a mandatory Safety Management System, and you have to, FAA, put that rule out.”

Now, Mr. Bradbury was still serving as General Counsel and acting Deputy Secretary of the Department. You would have thought now that he's gotten a directive by Congress to put out this rule, he would have said, “Hey, we have one. We've been debating it for a while, but now we've had two crashes. It's really clear that the safety culture needs to be upgraded. Everybody agrees, all experts, this is the great system. Let's implement it.”

But he didn't. He didn't move forward, even after Congress mandated it. And after Mr. Bradbury's confirmation hearing in front of the Commerce Committee last month, the families of the 737 MAX crashes released a statement saying his testimony purporting to prioritize aviation safety “shows a complete disregard for the 84 people who died in plane crashes in the United States in the last month.”

But Mr. Bradbury's troubling record doesn't stop just with transportation. During his time at the Department of Justice during the Bush administration, Mr. Bradbury authored what we know now as the widely known torture memos, justifying the use of waterboarding and other torture techniques.

The Department of Justice's Office of Professional Responsibility, reviewed these memos and raised doubts about them, [questioning] “the objectivity and reasonableness” of these legal analyses. DOJ also found evidence that Mr. Bradbury's legal analysis “were written with the goal of allowing the ongoing CIA program to continue.”

So, Mr. Bradbury, then, at the Department of Justice, was writing rules that fit the outcome that he wanted, instead of looking objectively at what the American people needed. These legal opinions were contrary to what this nation stands for.

Later, the Senate refused to confirm Mr. Bradbury as Assistant Attorney General during the Bush administration, and Congress passed the McCain-Feinstein Amendment to the 2016 NDAA, codifying the illegality of those torture methods - those very torture methods that Mr. Bradbury said were okay.

We passed a law to basically change what this guy's legal opinion was, because it was so bad.

And so now, when the Senate is asked to provide advice and consent on Mr. Bradbury's nomination to be [Deputy Secretary] of the Transportation Department, I think you should look back at what happened then. Two of our Republican colleagues voted against his nomination because of the torture memos. They rightly concluded that he was not right to fit in the Department of Justice role, I'm saying today, “what do you need to know?”

He didn't fight for strong safety rules at the Department of Transportation before, he's not going to fight for them now. It's really clear that our aviation safety system needs strong leadership at the FAA, not someone who's going to write the rule to fit business, but write the rule to fit safety.

As if these issues weren't concerning enough, there is another issue. During his confirmation hearing, I asked Mr. Bradbury, “What about the conflicts of interest that appear to be mounting between Elon Musk and the FAA?”

I thought, a smart lawyer, because your job is to be [Deputy Secretary], could really give guidance to the Secretary of Transportation, give guidance to the FAA Administrator, the acting one, and could say, “These are the ways in which Elon Musk should not pass go, would be a conflict of interest, would be a problem at the FAA, given that there are already issues that are really clearly in front of us.”

So I said, “Tell us. Tell us. Where do you think those conflicts of interest exist?”

Of course, at the hearing, he kind of demurred, and I said, “You know what, Mr. Bradbury, you can give me for the record where exactly do you think there's a conflict of interest.”

But he didn't just evade my [questions], he basically said that he thought that it was an excellent idea to have Elon Musk and SpaceX making changes to the FAA air traffic control system. In fact, he said that he didn't “see the potential for a conflict” with the SpaceX employees having access to the FAA.

Of course, we know now that three SpaceX engineers were recently hired as special government employees at the FAA and were immediately granted conflict of interest waivers by the Trump Administration, so they could work on matters at the FAA. Why? Because they had, “direct and predictable effects upon the financial interests of SpaceX.”

So in other words, the Trump Administration conceded that conflicts of interest do exist, and they're going to let them happen anyway, and they went to get a waiver. The conflicts of interest for Mr. Musk and SpaceX at the FAA is obvious.

Let me just say, though, first, you can have all sorts of broadband solutions, including satellite solutions, but when you're talking about the air traffic controller system, that kind of system is inferior to fiber. Why? Because of speed, capacity, cost, weather, all sorts of issues. And when there's chaos, we need certainty and predictability.

So we are seeing a conflict play out right before our eyes. According to a Bloomberg report, one of SpaceX's engineers who was granted a conflict of interest waiver recently told the FAA that SpaceX planned to send 4,000 Starlink terminals to the agency. For what? We're still trying to find out.

The FAA already entered into a \$2 billion contract with Verizon in 2023 to upgrade its telecommunications network. But Mr. Musk's own tweet suggests he wants to cancel the FAA's contract with Verizon. He's saying that they are failing. He wants them to use his product instead.

And yet, Mr. Bradbury apparently doesn't even see the potential, he doesn't even see the potential for the conflict of interest.

It doesn't stop with Starlink as a broadband supplier. Just last week, SpaceX's Starship heavy lift rocket malfunctioned and broke apart over the Caribbean before it reached orbit, dangerous debris fell from the sky. The FAA smartly halted flights in the area to ensure safety, and thankfully, no one was injured. The FAA initiated an immediate investigation into SpaceX to determine what happened. The investigation presents another clear conflict of interest.

As we know, Mr. Musk doesn't think FAA safety rules should apply to him. Last September, the FAA fined Mr. Musk and SpaceX for failing to comply with specific requirements in its launch license. Afterwards, after getting fined, Mr. Musk made a spectacle, calling for the firing of the FAA administrator.

That's right, the FAA fined him, and then he called for the FAA administrator -- oh, wait, wait one second, the FAA administrator that passed this body 98-0, because everybody here thought he was going to do a great job.

But Mr. Bradbury doesn't think Elon Musk has a conflict of interest, but Elon Musk can basically say to the President of the United States, fire the FAA administrator that we all said we thought would do a good job.

Now we all know Mr. Whitaker wasn't going to stick around and put up without being backed up for the safety work that he was doing. And now we don't have a Senate-confirmed head of the FAA. Why? Because Mr. Whitaker didn't want to stay around if everybody was going to let Donald Trump do whatever the heck he wanted when it came to the FAA. All this because [Musk] got fined for violating safety rules.

So I really don't understand what Mr. Bradbury doesn't understand that he can't write down on a piece of paper where real conflict of interest exists.

We need new leadership in the Department of Transportation so that we can continue to stand up to safety issues. I do not believe Mr. Bradbury is that person.

Mr. Bradbury sees bureaucratic hurdles when other people see safety safeguards. He sees red tape where we see life-saving protections. He sees the objective of having a light-touch FAA, and we see the objective of having safety be the primary purpose. Because you can't win at aviation if you don't win at aviation safety first.

Ask the people of the Pacific Northwest, the catastrophes of the MAX crashes not only lost lives, they cost billions of dollars. So not adhering to safety is hardly a winning economic solution.

So Mr. Bradbury hasn't shown us the leadership on safety, he has not shown the fidelity of upholding the law, of even respecting Congress. He has not shown us the courage that it takes to stand up and make sure that safety is implemented. And the consequences of putting the wrong person in place are measured in human lives, not dollars. Human lives.

The Boeing 737 MAX families know this. Yesterday was the sixth anniversary of the Ethiopian Airlines crash that claimed 157 lives. Family members like Javier de Luis and Nadia Milleron, who have now oriented their lives around making aviation safer.

I so appreciate their advocacy, but the people at the FAA should be doing the same.

I urge my colleagues to vote against the nomination of Steven Bradbury and I yield the floor.