

**NOMINATION OF STEVEN BRADBURY,
NOMINEE TO BE DEPUTY SECRETARY,
U.S. DEPARTMENT OF TRANSPORTATION**

HEARING

BEFORE THE

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

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

THURSDAY, FEBRUARY 20, 2025

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

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**NOMINATION OF STEVEN BRADBURY,
NOMINEE TO BE DEPUTY SECRETARY,
U.S. DEPARTMENT OF TRANSPORTATION**

THURSDAY, FEBRUARY 20, 2025

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

The Committee met, pursuant to notice, at 9:38 a.m., in room SR-253, Russell Senate Office Building, Hon. Ted Cruz, Chairman of the Committee, presiding.

Present: Senators Cruz [presiding], Fischer, Moran, Blackburn, Schmitt, Moreno, Cantwell, Markey, Peters, Baldwin, Luján, Hickenlooper, Kim, and Blunt Rochester.

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

The CHAIRMAN. Good morning. The Senate Commerce Committee will come to order.

We are 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's second in 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, D.C. 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 U.S. Court of Appeals for the D.C. Circuit and the U.S. Supreme Court.

Simply put, his legal and policy credentials are of the highest caliber. But he is also suited for those aspects of the DOT role that cannot be captured in a resume—recognizing that lives are indi-

rectly 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 have made it clear that safety, particularly in the aviation sector, must be his foremost priority.

To that end, Mr. Bradbury is ready to eliminate nonstatutory policy objectives that have been detracting from the department's core safety mission.

I have also emphasized Congress' role in enhancing safety and the importance of complying with congressional oversight. Mr. Bradbury is prepared to be forthcoming with Congress in line with commitments Secretary Duffy made to this committee just a few weeks ago to turn over information we have 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 onboard 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 kind of change that improves outcomes while saving taxpayers money.

I have received over 20 letters of support from Mr. Bradbury from major transportation groups representing sectors from aviation and trucking to ports and waterways.

I, too, 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.

**STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON**

Senator CANTWELL. 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 two MAX family individuals that are here, Nadia Milleron and Konjit Baleker. Both of them have been so active in continuing the focus on safety and thank you for that advocacy.

We are 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 are not saving lives, and I think that what has been wrong at FAA and at DOT overall is that we have 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 memos justifying the use of waterboarding and other torture techniques.

I am not going to go through the whole list of situations that arose from that, but alarming they found evidence that, quote, "your legal analyses," quote, "were written with the goal of allowing the ongoing CIA program to continue," end 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 illegality of the torture methods that you 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,” end quote. In this role you orchestrated the roll-back of multiple safety requirements under the guise of advancing a reform agenda.

For example, just 9 days—nine days—after the first of the two fatal Boeing 737 MAX crashes in 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 is 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 is the gold standard for aviation safety.

Why was the rule sidelined? Well, according to a Bloomberg article titled, “The Trump DOT blocked safety rule deemed critical in the 737 MAX probe,” the counsel general—you used 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 watch unleashed a restrictive policy that has run amok, undercutting FAA’s workers to enhance the safety and sidelining the SMS rule.

This is particularly alarming, given this committee’s focus on safety and the fact that we passed an—a mandatory SMS rule.

But after you sidelined the rule you next used 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, “the FAA’s response to the 737 MAX disasters.”

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, “intentionally withheld relevant information requested by the Committee,” and, “improperly redacted information in documents, hindering the Committee’s oversight into the investigation.”

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’s cooperation with the Committee, “has bordered on obstruction.”

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, “the FAA has deliberately attempted to keep us in the dark and by that I mean our investigative staff, our committee, and me.”

I was here when Senator Wicker made those statements. I consider him a very demure Southern gentleman who sometimes pulls his punches. He did not 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 Cruz earlier this week to express their concerns. They specifically voiced their concerns about the role in obstructing the investigation.

So, Mr. Chairman, I look—I ask unanimous consent to enter their letter into the record.

The CHAIRMAN. Without objection.

[The information referred to follows:]

February 17, 2025

The Honorable Senator Ted Cruz,
Chairman,
U.S. Senate Committee on Commerce, Science, and Transportation
Dirksen Senate Office Building 554
Washington, DC, 20510

Dear Senator Cruz,

I am the brother of Graziella de Luis, an American citizen who was killed when an Ethiopian Air 737 Max 8 crashed on March 10, 2019. I testified before the Senate Committee on Commerce, Science, and Transportation last year in my role as a member of the FAA Expert Panel on Boeing's safety culture.

I am writing to you today, along with other family members who lost loved ones on that flight, to express our concern regarding actions taken by Mr. Steven Bradbury, nominee for the role of Deputy Secretary for the Department of Transportation.

Specifically, our concerns lie in two areas:

First, when Mr. Bradbury was last at DoT as general counsel, your colleague, Senator Wicker, noted that he had not produced the relevant information requested by your committee during its investigation of the 737 Max 8 crashes, withholding relevant documentation and obstructing the committee's investigation. When dealing with the safety of the flying public, such behavior should be unacceptable.

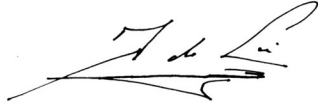
Second, Mr. Bradbury was instrumental in providing legal guidance while at DoT that led to the delays in implementation of Boeing's Safety Management System (SMS). As you know, Boeing first committed to implementing SMS as part of a settlement agreement with the FAA in 2015. That never happened by the time the agreement expired, in part, because of these delays. I note that to this day, Boeing still does not have a formal SMS.

As you consider Mr. Bradbury's nomination, we would respectfully suggest you inquire about the above two issues. We believe that when it comes to safety, everyone must commit to being transparent and up front, not just with Congress, but with the flying public. We are asking for that commitment from him. He should also commit to rapid formalization and adoption of Boeing's SMS plan without any further delays. While an SMS is not a panacea for all of Boeing's problems, it is a necessary step that has been in the works for more than a decade and is well overdue. For example, as Boeing attempts to ramp up production of the 737Max, we are receiving reports of inspections being removed at critical steps in the assembly of the airplanes in

order to speed up the schedule. We are also concerned that the recent staff-up of FAA inspectors on the factory floor might be stalled or reversed. Mr. Bradbury should commit to not allowing these changes until an SMS is in place and a full review has taken place that considers the safety impact of these changes.

Senator Cruz, during my testimony last year, I was touched by your kind words regarding the death of my sister. And while I think of her every day, my focus, and the focus of my fellow victim families, is on the future. We need to make sure that we do everything we can to prevent another crash. It took Boeing 20 years to get itself into this predicament, and it very well might take just as long to get out of it. This will require steadfast commitment by the Congress, the DoT, and the FAA to ensure that Boeing continues the path to recovery.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. de Luis', with a long horizontal stroke extending to the left.

Javier de Luis, PhD,

Lecturer, Massachusetts Institute of Technology

On behalf of:

Catherine Berthet
Naoise Connolly
Nadia Milleron
Chris Moore
Ike Riffel

Senator CANTWELL. 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 will 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 modify the rule to suit the industry.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

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

STATEMENT OF STEVEN BRADBURY, NOMINEE TO BE DEPUTY SECRETARY, U.S. DEPARTMENT OF TRANSPORTATION

Mr. 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 am profoundly grateful to President Trump for placing his trust in me and I am 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 am forever grateful for my wife Hilde, the love of my life, my rock, who is 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 learn from them.

Let me take a moment too to remember my mother, Cora Gill 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 have 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 capital.

Early on I had the tremendous fortune of clerking for Judge James Buckley on the U.S. Court of Appeals in D.C., 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 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, I will 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 am eager to partner with Secretary Duffy to get to work for the American people.

Thank you, Mr. Chairman.

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

PREPARED STATEMENT OF STEVEN GILL BRADBURY, NOMINEE TO BE DEPUTY SECRETARY, U.S. DEPARTMENT OF TRANSPORTATION

Chairman Cruz, Ranking Member Cantwell, and distinguished Members of this 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 am profoundly grateful to President Trump for placing his trust in me, and I am deeply thankful to Secretary Duffy for his confidence and his growing friendship.

I also want to thank my family for their love and support and wisdom. I am forever grateful for the love of my life, my wife Hilde, my rock, who is 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 learn from them.

Let me take a moment, too, to remember my mother, Cora Gill Bradbury. The daughter of Cornish and Irish miners from Butte, Montana, she raised me as a hard-working single mom in Portland, Oregon. She ironed clothes for customers at 75-cents an hour and worked nights in a bakery to support my grandmother and me and to supplement our monthly social security checks.

She was the kindest, most selfless person I've ever known. 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 capital.

Early on, I had the tremendous good fortune of clerking for Judge James L. Buckley on the U.S. Court of Appeals for the D.C. Circuit and for Justice Clarence Thomas on the Supreme Court—two of our greatest jurists and greatest Americans who, though coming from completely opposite backgrounds, have both had a profound influence on my life and my career in the law.

That career has included more than 20 years of private practice in major law firms in Washington, D.C., where my work focused primarily on the limits of administrative power and the proper exercise of the Federal government's regulatory authorities.

I have also had the privilege of extensive prior service in the Executive Branch.

From 2004 to 2009, I served as the Principal Deputy Assistant Attorney General in the Office of Legal Counsel at the U.S. Department of Justice, and for most of that time, I was the senior appointed official in charge of the Office. My job was to advise the President, the Attorney General, and the heads of executive departments and agencies on the requirements of the law, to help ensure faithful compliance with the Constitution and the statutes and treaties of the United States.

More recently, during the first Trump administration, I served as the Senate-confirmed General Counsel of the Department of Transportation, managing all legal

functions and matters for DOT and supervising the work of more than 500 attorneys across the Department.

As General Counsel, I was also the Regulatory Policy Officer of DOT, responsible for overseeing the Department's regulatory actions and for implementing President Trump's regulatory reform agenda. Under my tenure, DOT was a leader in achieving efficiencies and very sizable regulatory cost savings for the American economy without compromising safety.

We favored performance-based standards over highly prescriptive rules to preserve incentives for private investment in safety-enhancing technologies. Among other reforms, we streamlined the FAA's commercial space licensing rules, we made headway in developing the regulatory frameworks for commercial drones and automated vehicles, and we reset the Nation's fuel-economy standards to promote safety and the affordability of new cars and trucks for America's families.

We also put in place important procedural reforms to achieve greater transparency and public input in costly rulemakings, clearer requirements and consistency in the approval and use of guidance documents, and a firmer emphasis on due process in enforcement actions.

In addition, I was involved in helping lead the Department's response to the unprecedented COVID public health emergency, when we succeeded in keeping America's vital transportation systems operating for the benefit of the American people. And I was proud to help supervise the Department's responses to significant oversight requests from Congress.

As a member of Secretary Chao's senior leadership team, I participated in nearly all major policy decisions of the Secretary, including decisions on

discretionary infrastructure grants, Build America Bureau loans, and budgetary proposals. And I provided advice and support to the Secretary in connection with significant challenges facing the Department, like the FAA's response to the 737-MAX disasters.

By designation of the President, from September 2019 until the end of the first Trump administration, I exercised all the functions and duties of the Deputy Secretary of Transportation. In that capacity, I assisted in developing the Secretary's policy proposals for legislation and infrastructure projects, and I served as Chairman of the Board of Directors of the Union Station Redevelopment Corporation and as a member of the FAA's Management Advisory Committee.

For eight days at the end of the first Trump administration, I was the Acting Secretary of Transportation in accordance with the Department's standing order of succession, and I kept a steady hand on the tiller to ensure the Department was responsibly managed as we prepared for the transition to the new administration.

Since leaving government service in January 2021, including in my capacity as a Distinguished Fellow at The Heritage Foundation, I have continued to write and speak on issues of public policy relevant to the regulatory authorities of DOT.

As a result of these experiences, I believe I know the Department well, and I have great affection and respect for the dedicated career staff of DOT.

I have a deep appreciation for the critical safety mission of DOT and a commitment to the proper exercise of the Secretary's authorities in accordance with the

law, including a healthy respect for the limits of those authorities vis-à-vis Congress and the States.

DOT's mission is exceptionally important, in no small part because the liberty and prosperity of the American people depend on the safe, efficient operation of the Nation's transportation systems and infrastructure.

If I am fortunate to be confirmed as Deputy Secretary of Transportation, I will devote myself to helping the Secretary promote transportation safety and efficiency through faithful application of the legal 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 experienced in recent days, I believe I can effectively assist the Secretary as he works with the FAA and Congress to upgrade our Nation's air traffic control operations and improve the effectiveness of FAA's safety oversight and enforcement.

I would also expect to assist the Secretary in advancing smart regulatory reforms that maintain competitive markets and incentives to innovate consistent with the law, as well as promoting cost-beneficial infrastructure improvements of national importance in accordance with the authorizations and appropriations provided by Congress.

And I would expect to help the Secretary achieve improved overall outcomes for the Department with greater systems efficiencies and lower costs and to eliminate unnecessary policy requirements that detract from the Department's ability to carry out its primary safety mission efficiently and effectively.

In all these endeavors, I would be an advocate for transparency with Congress and the public, and I would stress the importance of maintaining consistently open and candid channels of communication with Congress, including with this Committee and the other Committees with jurisdiction over DOT.

I pledge to you that, if confirmed, I will bring these values to work with me every day at the Department of Transportation.

With this Committee's consent, I am eager to partner with Secretary Duffy to get to work for the American people.

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

A. BIOGRAPHICAL INFORMATION

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

Steven Gill ("Steve") Bradbury.

Former name used: Steven Dean Bradbury, 1958–1986 (judicial name change, July 15, 1986).

2. Position to which nominated: Deputy Secretary of Transportation.

3. Date of Nomination: January 22, 2025.

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

Residence: Information not released to the public.

Office: The Heritage Foundation, 214 Massachusetts Avenue, N.E., Washington, D.C. 20002

5. Date and Place of Birth: September 12, 1958; Portland, Oregon.

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

Spouse: Hilde Elisabeth Kahn. Occupation: Homemaker and community volunteer.

Children: James, 30; Will, 29; Susanna, 26.

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

University of Michigan Law School, Ann Arbor, Michigan—1985–1988.

J.D., *magna cum laude*, May 1988.

Stanford University, Stanford, California—1976–1980.

B.A., English, June 1980.

Lincoln College, Oxford University, Oxford, England—1979.

Tutorial study in Theory of Knowledge.

8. List all post-undergraduate employment, including the job title, name of employer, and inclusive dates of employment, and highlight all management-level jobs

held and any non-managerial jobs that relate to the position for which you are nominated.

December 2022–Present:

Distinguished Fellow
The Heritage Foundation (public policy think tank)
214 Massachusetts Avenue, N.E.
Washington, D.C. 20002

** My work for The Heritage Foundation has involved, among other things, writing, speaking, and testifying on transportation-related public policy matters, including the regulatory authorities of DOT and other Federal agencies.*

November 2017–January 2021:

General Counsel
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

(During my tenure as General Counsel, I also served as Acting Secretary of Transportation in Jan. 2021, as Acting Deputy Secretary from Sept. 2019 to Dec. 2019, and as the President's designee in performing the functions and duties of the Office of Deputy Secretary from Sept. 2019 until Jan. 2021.)

** My work at DOT gave me extensive management experience with the entire Department and extensive substantive knowledge of DOT's functions, duties, and authorities.*

July 2009–November 2017:

Partner
Dechert LLP (law firm)
1900 K Street, N.W.
Washington, D.C. 20006

** My practice at Dechert included, among other things, representing clients in various transportation-related sectors and in matters before DOT and other regulatory agencies, and it involved managing teams of attorneys on complex cases.*

April 2004–January 2009:

Principal Deputy Assistant Attorney General
Office of Legal Counsel
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

(During my tenure as Principal Deputy AAG, I also served as the Acting Assistant Attorney General of OLC for ten days in Feb. 2005 and from my nomination to be the AAG in June 2005 until April 2007.)

** In this position, I gained significant experience (a) managing a busy office of attorneys on a host of important legal matters for the President, the Attorney General, and the Executive Branch, and (b) testifying before Congress and briefing Members of Congress and their staffs on significant issues.*

September 1993–April 2004:

Partner (Oct. 1994–Apr. 2004)
Associate (Sept. 1993–Oct. 1994)
Kirkland & Ellis LLP (law firm)
1301 Pennsylvania Avenue, N.W. (current address)
Washington, D.C. 20004

** My practice at Kirkland & Ellis included, among other things, representing clients in various transportation-related sectors and in matters before DOT and other regulatory agencies, and it involved managing teams of attorneys on complex cases.*

July 1992–July 1993:

Law Clerk to Justice Clarence Thomas
Supreme Court of the United States
1 First Street, N.E.
Washington, D.C. 20543

July 1991–July 1992:

Attorney-Adviser Office of Legal Counsel
U.S. Department of Justice

950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

July 1990–July 1991:
Law Clerk to Judge James L. Buckley
U.S. Court of Appeals for the D.C. Circuit
333 Constitution Avenue, N.W.
Washington, D.C. 20001

September 1988–July 1990:
Associate
Covington & Burling LLP (law firm)
850 10th Street, N.W. (current address)
Washington, D.C. 20001

May 1987–July 1987:
Summer Associate
Covington & Burling LLP (law firm)
850 10th Street, N.W. (current address)
Washington, D.C. 20001

May 1986–August 1986:
Summer Associate
Miller Nash LLP (law firm) (current name)
1140 SW Washington Street, Suite 700 (current address)
Portland, OR 97205

September 1983–August 1985:
Legal Assistant
Davis Polk & Wardwell LLP (law firm)
450 Lexington Avenue (current address)
New York, NY 10017

November 1981–September 1983:
Assistant Editor (Feb. 1983–Sept. 1983)
Editorial Assistant (Nov. 1981–Feb. 1983)
Avon Books, then a Division of the Hearst Corporation
(Now part of HarperCollins Publishers)
195 Broadway (current address)
New York, NY 10007

August 1981–October 1981:
Waiter & Bus Boy
Off Broadway Company (restaurant)
Then located near West 69th Street & Broadway
New York, NY
(No longer in business)

April 1981–June 1981:
Waiter
Le Café Meursault (restaurant)
Palo Alto, CA
(No longer in business)

September 1980–October 1980:
Food Service (sandwich maker)
Stanford Coffee House
Tresidder Student Union
Stanford University
Stanford, CA 94305

June 1980–September 1980:
Installer of insulation blankets for water heaters in university housing
Stanford Conservation Center
Stanford University
Stanford, CA 94305

9. Attach a copy of your résumé.
Résumé attached.

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

Chair, Board of Directors, Union Station Redevelopment Corporation, 9/2019–1/2021.

Member, Management Advisory Committee, Federal Aviation Administration, 9/2019–1/2021.

Regulatory Policy Officer, U.S. Department of Transportation, 11/2017–1/2021.

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

Distinguished Fellow, The Heritage Foundation, 12/2022 to present.

Volunteer, Trump-Vance Transition, Inc., 12/2024–1/2025.

Member, The Federalist Society, intermittently 1993–2017, 7/2024 to present.

Consultant, Mosaic Research Management, 3/2023.

Consultant, TIG Advisors LLC, 3/2023.

Chair, Board of Directors, Union Station Redevelopment Corporation, 9/2019–1/2021.

Member, Management Advisory Committee, Federal Aviation Administration, 9/2019–1/2021.

Regulatory Policy Officer, U.S. Department of Transportation, 11/2017–1/2021.

Partner, Dechert LLP, 7/2009–11/2017.

Chair (9/2015–6/2017) and member (9/2012–6/2017), Editorial Board for Annual Review of Antitrust Law Developments, ABA Section of Antitrust Law.

Member, Capital Markets Litigation Advisory Committee, U.S. Chamber of Commerce Litigation Center, 5/2012–6/2017.

Chair, International Law Working Group, John Hay Initiative, 5/2015–6/2017.

Member, National Security Law Working Group, The Heritage Foundation, 2/2012–6/2017 and 1/2023–Present.

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

Verse Condominium Association, Tysons, VA; resident unit owner, 1/2020 to present.

D.C. Bar, member since 12/1988.

American Bar Association; member, 1988–1992 and 2009 to present.

ABA Section of Antitrust Law, Editorial Board for Annual Review of Antitrust Law Developments; Chair, 9/2015–6/2017, and member, 9/2012–6/2017.

U.S. Chamber of Commerce Litigation Center, Capital Markets Litigation Advisory Committee; member, 5/2012–6/2017.

Federalist Society; member off and on beginning in 1993 and currently; was not a member while serving in government.

The Heritage Foundation, National Security Law Working Group; participating member, 2/2012–6/2017 and 1/2023 to present.

John Hay Initiative, International Law Working Group; chair, 5/2015–6/2017.

Alexander Hamilton Society; member, 2012–2014.

Supreme Court Historical Society; member, 2013.

Stanford University Alumni Association; member since 1980.

Michigan Law School Alumni Association; member since 1988.

Chesterbrook Swim and Tennis Club (community pool and tennis courts in McLean, VA); member, 6/2008–3/2013.

River Falls Community Center Association, Inc. (community pool and tennis courts in Potomac, MD); member, 8/1996–9/2007.

Civic Association of River Falls; member, 8/1996–9/2007.

Registered member of the Republican Party.

Virginia Republican Party; currently a member.

Maryland Republican Party; was a member while living in MD (until 2007).

** To my knowledge, no organization of which I have been a member has ever had a policy of restricting membership on the basis of sex, race, color, religion, national origin, age, or disability.*

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

As listed above, I have held appointed office in the U.S. Department of Transportation and the U.S. Department of Justice, and I have served as a law clerk to two Federal judges. I have not campaigned for public office and do not have any campaign debt.

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

I served as a volunteer consultant to the Trump-Vance Transition, Inc., 12/2024–1/2025.

I served as a volunteer attorney for the Romney Victory, Inc., campaign in Colorado on Election Day in 2012.

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

I have made the following political contributions of \$200 or more in the last 15 years:

09/27/2016	\$1,000	National Republican Senatorial Committee
02/21/2016	\$2,700	Marco Rubio for President
06/18/2015	\$2,700	JEB2016, Inc.
04/30/2014	\$250	Cotton for Senate
09/19/2012	\$2,500	Romney Victory, Inc.
05/08/2012	\$500	Ted Cruz for Senate
09/14/2011	\$1,500	Romney for President
07/26/2011	\$1,000	Romney for President
07/22/2010	\$ 300	Nat'l Republican Congressional Committee
02/24/2010	\$1,000	National Republican Senatorial Committee

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

The Heritage Foundation's Drs. W. Glenn and Rita Ricardo Campbell Award for Outstanding Contribution to the Analysis and Promotion of the Free Society, 2024.

Secretary of Transportation's Distinguished Service Award for Leading DOT's Response to the COVID-19 National Public Health Emergency, 2020.

Edmund J. Randolph Award for Outstanding Service to the U.S. Department of Justice, 2007.

Secretary of Defense Medal for Outstanding Public Service, Nov. 2006. National Security Agency's Intelligence Under Law Award, May 2008.

Director of National Intelligence's 2007 Intelligence Community Legal Award (Team of the Year, FISA Modernization).

Criminal Division's Award for Outstanding Law Enforcement Partnerships, U.S. Department of Justice, Nov. 2006.

Included in the list of Washington's top 40 lawyers under the age of 40, *Washingtonian* Magazine, Aug. 1998.

J.D., *Magna Cum Laude*, University of Michigan Law School, May 1988.

Order of the Coif, University of Michigan Law School, 1988.

Article Editor, *Michigan Law Review*, 1987–1988.

Dean's 1987–1988 Law Review Award for Outstanding Contribution to the Michigan Law Review.

Book Awards for Top Grade in Law School Classes: Administrative Law, Civil Procedure II, and Legal Process.

Supreme Court Clerkship, Justice Clarence Thomas, Oct. Term 1992.

D.C. Circuit Clerkship, Judge James L. Buckley, 1990–1991.
 Received Full-Tuition Financial-Aid Awards from Stanford University.
 Student Body President, Washington High School, Portland, OR, 1976.
 Voted Class Leader, Washington High School, Portland, OR, 1976.
 Physics Award, Washington High School, Portland, OR, 1976.
 National Merit Scholarship Letter of Commendation, Washington High School, Portland, OR, 1976.
 Officer, Honor Society, Washington High School, Portland, OR, 1975–1976.

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

Steven G. Bradbury, Commentary, *CAFE Duplicity: Disinformation in Fuel Economy Regulation*, The Heritage Foundation (Aug. 26, 2024).

Steven G. Bradbury, Commentary, *Democracy and the Abuses of Our Ruling Elites*, The Heritage Foundation (June 27, 2024).

Steven G. Bradbury, Commentary, *Major Questions Raised by EPA's EV Mandates*, The Heritage Foundation (June 5, 2024).

S.G. Bradbury, *Observation: When a Man Loves a Woman*, SGBradbury .Medium.com (May 12, 2024).

Steven G. Bradbury, Commentary, *Sayonara Chevron*, The Daily Signal (Apr. 15, 2024).

Steven G. Bradbury, Commentary, *Secretary Mayorkas Deserves To Be Impeached*, The Heritage Foundation (Mar. 12, 2024) (reprinted & expanded).

Steven G. Bradbury, *California's Ruinous (and Unlawful) Assault on America's Trucking Industry*, The Heritage Foundation, Legal Memorandum No. 350 (Feb. 13, 2024).

Steven G. Bradbury, *Evaluation of the Competing House Bills on FISA Reform: The Good, the Bad, and the Ugly*, The Heritage Foundation, Background No. 3812 (Feb. 12, 2024).

Steven G. Bradbury, Letter to the Editor, "Secretary Mayorkas Deserves to Be Impeached," Wall Street Journal (Feb. 11, 2024).

Steven G. Bradbury, *Update: EPA Prepares the Way for California's In-Use Locomotive Regulation*, Washington Legal Foundation, WLF Legal Pulse (Nov. 7, 2023).

Steven G. Bradbury, Commentary, *Virginia Should Make Its Own Decisions About EVs*, The Heritage Foundation (Oct. 20, 2023) (reprinted).

Steven G. Bradbury, Op-Ed, *Virginia Should Make Its Own Decisions About EVs*, The Virginian-Pilot (Oct. 18, 2023).

Steven G. Bradbury, Commentary, *Congress Must Take California Out of the Driver's Seat on Electric Car Mandates*, The Heritage Foundation (Oct. 3, 2023).

Steven G. Bradbury, *Train Wreck Comin': Now California Wants to Dictate Locomotive Technology for Our Nation's Rail System*, The Heritage Foundation, Legal Memorandum No. 341 (Sept. 28, 2023) (reprinted and reformatted).

Steven G. Bradbury, *California's Attempt to Dictate Locomotive Technology for Our National Rail System Unlawfully Conflicts with Federal Law*, Washington Legal Foundation, Legal Background, Vol. 38, No. 14 (Sept. 8, 2023).

Steven G. Bradbury, Tribute, *Judge James L. Buckley: An Inspiring Life of Service and Faith*, National Review, The Corner (Aug. 18, 2023).

Steven G. Bradbury, Commentary, *How to Fix the FBI*, The Heritage Foundation (July 12, 2023) (reprinted).

Steve Bradbury, Commentary, *How to Fix the FBI*, The Daily Signal (July 10, 2023).

Steven G. Bradbury, *How to Fix the FBI*, The Heritage Foundation, Background No. 3777 (July 10, 2023).

Steven G. Bradbury, Commentary, *We Must Reform America's Politicized Law Enforcement. Here's How to Start.*, The Heritage Foundation (June 12, 2023) (reprinted).

Steve Bradbury, Commentary, *We Must Reform America's Politicized Law Enforcement. Here's How to Start.*, The Daily Signal (June 9, 2023).

Steven G. Bradbury, *Impeachable High Crimes and Misdemeanors: Not Limited to Criminal Offenses*, The Heritage Foundation, Backgrounder No. 3756 (Mar. 23, 2023).

Hans A. von Spakovsky, Lora Ries, & Steven G. Bradbury, Commentary, *Angry Federal Judge Orders Biden's DHS: End Mass Parole of Illegal Aliens*, The Heritage Foundation (Mar. 16, 2023) (reprinted).

Hans A. von Spakovsky, Lora Ries, & Steve Bradbury, Commentary, *Angry Federal Judge Orders Biden's DHS: End Mass Parole of Illegal Aliens*, The Daily Signal (Mar. 13, 2023).

Steven G. Bradbury, Commentary, *Impeaching Mayorkas: The House's Duty*, The Heritage Foundation (Feb. 17, 2023) (reprinted).

Steve Bradbury, Commentary, *Impeaching Mayorkas: The House's Duty*, The Daily Signal (Feb. 15, 2023).

Hans A. von Spakovsky, Lora Ries, & Steven G. Bradbury, Commentary, *Impeaching Mayorkas Is a Must, He Violated His Oath and Committed "High Crimes and Misdemeanors,"* The Heritage Foundation (Feb. 15, 2023) (reprinted).

Hans A. von Spakovsky, Lora Ries, & Steven G. Bradbury, Opinion, *"Impeaching Mayorkas is a must, he violated his oath and committed 'high Crimes and Misdemeanors,'"* FoxNews.com (Feb. 13, 2023).

Hans A. von Spakovsky, Lora Ries, & Steven G. Bradbury, *The Case for Impeachment of Alejandro Nicholas Mayorkas, Secretary of Homeland Security*, The Heritage Foundation, Special Report No. 266 (Feb. 6, 2023).

Steve Bradbury, Commentary, *Case for Impeaching Mayorkas Over Border Crisis Is Clear, Compelling*, The Daily Signal (Feb. 2, 2024).

Steven G. Bradbury, Commentary, *California's Radical Effort to Transform America's Auto Industry: Not Your Forefathers' Idea of Federalism*, The Heritage Foundation (Jan. 30, 2023) (reprinted).

Steven G. Bradbury, Commentary, *Biden's California Waiver: An Assault on Federalism*, The Heritage Foundation (Jan. 27, 2023) (reprinted).

Steve Bradbury, Commentary, *California's Radical Effort to Transform America's Auto Industry: Not Your Forefathers' Idea of Federalism*, The Daily Signal (Jan. 27, 2023).

Steven G. Bradbury, Op-Ed, *Biden's California Waiver: An Assault on Federalism*, The Washington Times (Jan. 25, 2023).

S.G. Bradbury, *Appreciation: Just Like a Ringin' a Bell*, SGBradbury .Medium.com (Sept. 29, 2022).

S.G. Bradbury, *Observation: Cliff Notes*, Adespotoi.Substack.com (Sept. 16, 2022).

S.G. Bradbury, *Observation: Revalidating the Electoral Count Act*, Adespotoi .Substack.com (Aug. 17, 2022).

S.G. Bradbury, *Rumination: A Commission for KBJ*, Adespotoi.Substack.com (Apr. 28, 2022).

S.G. Bradbury, *Observation: Will Smith in the Briar Patch*, SGBradbury .Medium.com (Apr. 19, 2022).

S.G. Bradbury, *Observation: The Prevalent Confusion of Number*, SGBradbury .Medium.com (Jan. 15, 2022).

S.G. Bradbury, *Essay: Through the Wilderness with Sam Grant*, SGBradbury .Medium.com (Jan. 9, 2022) (reprinted).

S.G. Bradbury, *Essay: Through the Wilderness with Sam Grant (Abridged)*, Adespotoi.Substack.com (Jan. 9, 2022).

S.G. Bradbury, *Essay: Through the Wilderness with Sam Grant (Complete) (Part 9 of 9)*, Adespotoi.Substack.com (Nov. 21, 2021).

S.G. Bradbury, *Essay: Through the Wilderness with Sam Grant (Complete) (Part 8 of 9)*, Adespotoi.Substack.com (Nov. 21, 2021).

S.G. Bradbury, *Essay: Through the Wilderness with Sam Grant (Complete) (Part 7 of 9)*, Adespotoi.Substack.com (Nov. 21, 2021).

S.G. Bradbury, *Essay: Through the Wilderness with Sam Grant (Complete) (Part 6 of 9)*, Adespotoi.Substack.com (Nov. 21, 2021).

S.G. Bradbury, *Essay: Through the Wilderness with Sam Grant (Complete) (Part 5 of 9)*, Adespotoi.Substack.com (Nov. 21, 2021).

- S.G. Bradbury, *Essay: Through the Wilderness with Sam Grant (Complete) (Part 4 of 9)*, Adespotoi.Substack.com (Nov. 21, 2021).
- S.G. Bradbury, *Essay: Through the Wilderness with Sam Grant (Complete) (Part 3 of 9)*, Adespotoi.Substack.com (Nov. 21, 2021).
- S.G. Bradbury, *Essay: Through the Wilderness with Sam Grant (Complete) (Part 2 of 9)*, Adespotoi.Substack.com (Nov. 21, 2021).
- S.G. Bradbury, *Essay: Through the Wilderness with Sam Grant (Complete) (Part 1 of 9)*, Adespotoi.Substack.com (Nov. 21, 2021).
- S.G. Bradbury, *Observation: Coca-Cola, What Were You Thinking?*, SGBradbury.Medium.com (Oct. 8, 2021).
- S.G. Bradbury, *Rumination: The Problem Is Not “180ism”*, Adespotoi.Substack.com (Aug. 15, 2021).
- S.G. Bradbury, *Rumination: Dr. Seuss in the Dock*, Adespotoi.Substack.com (July 27, 2021).
- S.G. Bradbury, *Appreciation: Celebrating Justice Thomas’s 30 Years on the Supreme Court*, Adespotoi.Substack.com (July 26, 2021).
- S.G. Bradbury, *Appreciation: Fire on the Mountain, a Musical Intervention*, SGBradbury.Medium.com (July 24, 2021).
- S.G. Bradbury, *Rumination: The USA PATRIOT Act*, Adespotoi.Substack.com (July 24, 2021).
- S.G. Bradbury, *Rumination: The Rules Governing Offensive Cyber Operations*, Adespotoi.Substack.com (July 24, 2021).
- S.G. Bradbury, *Appreciation: Toward Reason in Capital Sentencing*, Adespotoi.Substack.com (July 23, 2021).
- S.G. Bradbury, *Appreciation: The Perfect OLC Opinion*, Adespotoi.Substack.com (July 6, 2021).
- S.G. Bradbury, *Appreciation: The Greatest Example of Heads-Up Base Running*, SGBradbury.Medium.com (June 7, 2021).
- S.G. Bradbury, *Appreciation: Facadism in the Nation’s Capital*, Adespotoi.Substack.com (May 18, 2021) (reprinted same day in SGBradbury.Medium.com).
- S.G. Bradbury, *Rumination: Nature and the Human Environment*, Adespotoi.Substack.com (May 4, 2021) (reprinted same day in SGBradbury.Medium.com).
- S.G. Bradbury, *Appreciation: Edward Gibbon*, Adespotoi.Substack.com (Apr. 7, 2021) (reprinted same day in SGBradbury.Medium.com).
- S.G. Bradbury, *Appreciations: George Catlin & Francis Parkman*, Adespotoi.Substack.com (Apr. 7, 2021) (reprinted same day in SGBradbury.Medium.com).
- S.G. Bradbury, *Essay: A Physicalist Sutra*, Adespotoi.Substack.com (Apr. 6, 2021) (reprinted).
- S.G. Bradbury, *Essay: A Physicalist Sutra*, SGBradbury.Medium.com (Feb. 4, 2021).
- Steven G. Bradbury, “National Security and the ‘New Yellow Press,’” published as chapter 11 in *Journalism After Snowden: The Future of the Free Press in the Surveillance State*, p.172 (Emily Bell, Taylor Owen, et al., eds., Columbia Journalism Review Books, Columbia Univ. Press 2017).
- Steven G. Bradbury, *Justice Thomas and the Second Amendment: Protecting Liberty and Promoting Equal Justice*, JusticeThomas.com (Oct. 24, 2016).
- Steven Gill Bradbury, “Celebrating Justice Thomas’s 25 Years of Service on the Supreme Court,” Letter of Tribute Addressed to Sen. Orrin G. Hatch, Senate Committee on the Judiciary (Sept. 16, 2016) (published in the Congressional Record).
- Steven G. Bradbury, Opinion, “Clarence Thomas’s 25 years on the Supreme Court are a triumph of perseverance,” FoxNews.com (June 27, 2016).
- John Hay Initiative International Law Working Group, Chaired by Steven G. Bradbury, “Update on China’s Expansion in the South China Sea” (May 6, 2016) (no digital copy found).
- John Hay Initiative International Law Working Group, Chaired by Steven G. Bradbury, “JHI Backgrounder: China’s Maritime Expansion in the South and East China Seas” (Sept. 21, 2015) (no digital copy found).

- Steven G. Bradbury, *Balancing Privacy and Security*, Harv. J.L. & Pub. Pol'y (Federalist Ed.), Vol. 2, No. 1, p.5 (Winter 2015).
- Steven G. Bradbury, Op-Ed, "Opposing view: Preserve this critical tool [NSA telephone metadata program]," USA Today, p.10A (Mar. 28, 2014).
- Steven G. Bradbury, Op-Ed, "Don't limit the NSA's effectiveness," Wash. Post, p.A13 (Jan. 5, 2014).
- Michael B. Mukasey, Steven G. Bradbury, & David B. Rivkin Jr., Op-Ed, "An ill-founded ruling against the NSA," Wash. Post, p.A27 (Dec. 20, 2013).
- Steven G. Bradbury, *Understanding the NSA Programs: Bulk Acquisition of Telephone Metadata Under Section 215 and Foreign-Targeted Collection Under Section 702*, Lawfare Research Paper Series, Vol. 1, No. 3 (Sept. 1, 2013).
- Steven G. Bradbury, Op-Ed, "The use of phone data: Constraining the NSA would make Americans less safe," Wash. Post, p.A15 (July 23, 2013).
- Steven G. Bradbury, Op-Ed, "Opposing view: The system works well as it is: FISA court judges serve the rule of law," USA Today, p.8A (July 19, 2013).
- Thomas P. Vartanian & Steven G. Bradbury, *How to Fight Back Against Bad Agency Decisions*, American Banker BankThink (Jan. 16, 2013).
- Steven G. Bradbury, *Anticipating How the U.S. Supreme Court May Rethink Fraud-on-the-Market Standards for Securities Class Actions*, Bloomberg BNA (Aug. 24, 2012).
- George G. Gordon & Steven G. Bradbury, *K-Dur: The Rejection of "Scope of the Patent" Test*, Law360 (July 24, 2012).
- Co-Author (with several other Dechert LLP partners), *FTC Recommends Improvements to Patent System*, Intellectual Prop. & Tech'y L.J. (June 2011).
- Timothy C. Blank, Steven G. Bradbury, & Christopher R. Boisvert, *The Dawn of Internet Privacy?*, Law360 (Apr. 22, 2011).
- Steven G. Bradbury, Keynote Address, *The Developing Legal Framework for Defensive and Offensive Cyber Operations*, 2 Harv. Nat'l Sec. J. 629 (Mar. 2011).
- Steven G. Bradbury & John P. Elwood, Op-Ed, "Recess is canceled: President Obama should call the Senate's bluff," Wash. Post, p.A19 (Oct. 15, 2010).
- Steven G. Bradbury, *After further review, NFL's "Hail Mary" pass ruled incomplete: Supreme Court holds NFL's joint trademark licensing subject to Section 1 of the Sherman Act*, Lexology (May 28, 2010).
- Steven G. Bradbury, Guest Commentary, *Supreme Observations: American Needle v. NFL*, Washington Legal Foundation, WLF Legal Pulse (May 24, 2010).
- Steven G. Bradbury, *Gearing up for American Needle v. NFL*, Law360 (Jan. 11, 2010).
- Steven G. Bradbury & Grant M. Dixon, *Court Ruling Wrongly Creates New Right to Sue Telecom Companies*, Washington Legal Foundation, Legal Opinion Letters, Vol. 12 No. 22 (Aug. 30, 2002) (discussing *Law Offices of Curtis V. Trinko, LLP v. Bell Atlantic Corp.*, 294 F.3d 307 (2d Cir. 2002), a case later reversed by the Supreme Court).
- Steven Bradbury & Kelion Kasler, Kirkland & Ellis, *Verizon Communications: The Merger of Bell Atlantic and GTE*, published in Corporate Finance, *Global M&A Yearbook 2000: New Strategies in M&A*, p.47 (Nov. 2000) (no digital copy found).
- Steven G. Bradbury, Paul T. Cappuccio & Patrick F. Philbin, Kirkland & Ellis, *Telecommunications*, published in International Financial Law Review, *United States: A Legal Guide*, p.33 (June 1998).
- Steven G. Bradbury, Paul T. Cappuccio & Patrick F. Philbin, Kirkland & Ellis, *United States*, published in International Financial Law Review, *Telecommunications: An International Legal Guide*, p.69 (Aug. 1997).
- Steven G. Bradbury, *The Unconstitutionality of Qui Tam Suits*, The Federalist Society, Federalism & Separation of Powers News, Vol. 1 No. 1 (Fall 1996) (discussing pending cert. petition in *Hughes Aircraft Co. v. United States ex rel. Schumer*) (no digital copy found).
- Steven G. Bradbury, *Original Intent, Revisionism, and the Meaning of the CGL [Comprehensive General Liability Insurance] Policies*, 1 Environmental Claims J. 279 (Spring 1989).
- Note, *Corporate Auctions and Directors' Fiduciary Duties: A Third-Generation Business Judgment Rule*, 87 Mich. L. Rev. 276 (1988).

Book Note, 85 Mich. L. Rev. 941 (1987) (reviewing *The Moral Dimensions of Politics*, by Richard J. Regan, S.J. (Oxford Univ. Press 1986)).

A Cattleman's Calling (short story), published in *The Hoboken Terminal*, Vol. 1 No. 1 (Spring 1982) (no digital copy found).

* In addition to the publications listed above: (a) I signed numerous memoranda, orders, and notices of rulemaking actions on behalf of the U.S. Department of Transportation in my official capacity as General Counsel of DOT from 2017 to 2021 which were posted on the DOT website at www.transportation.gov or published in the Federal Register; (b) I signed numerous legal opinions for the Office of Legal Counsel (OLC) of the U.S. Department of Justice during my tenure as Principal Deputy and Acting AAG of OLC from 2004 to 2009, many of which can be found at www.justice.gov/olc/opinions-main and www.justice.gov/olc/olc-foia-electronic-reading-room; and (c) as an attorney in private practice at the law firm Dechert LLP from 2009 to 2017 and at the law firm Kirkland & Ellis LLP from 1993 to 2004, I filed numerous briefs and other court filings and I assisted in preparing numerous online client alerts on a variety of legal topics, including several which were posted on the Dechert LLP website at www.dechert.com.

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

Note: I have given many speeches, panel presentations, and other public remarks, mostly addressed to legal and public policy matters not directly relevant to DOT or the position of Deputy Secretary of Transportation. The following is the most complete list I could compile of my speeches, panel discussions, and presentations. Those marked with an asterisk (*) concerned topics of potential relevance to DOT:

* Panel Speaker, "Panel One: Does Deference Make a Difference? The Effect of *Loper Bright* and *Relentless* on Business," *The Future of Business Lawyering Conference*, The Federalist Society, In-House Counsel Network, Nashville, TN (Sept. 27, 2024) (no digital copy found).

* Panel Speaker, *The Future of the Executive State*, The Heritage Foundation, Washington, D.C. (Sept. 25, 2024).

Panel Moderator, *Weaponization of U.S. Government Symposium*, The Heritage Foundation, Washington, D.C. (Apr. 9, 2024).

* Debate with Prof. Ron Levin re Should the Supreme Court Repudiate *Chevron* Deference?, Washington University Law School Federalist Society Chapter, St. Louis, MO (Mar. 28, 2024) (no digital copy found).

* Panel Speaker, *Assessing the Biden EPA's Vehicle and Power Plant Rules*, Florida International Univ. Environment Forum, FIU Law School, Miami, FL (Feb. 23, 2024).

* Panel Speaker, *The Administrative State, Its Supporters and Its Discontents*, The Federalist Society, National Lawyers Conference, Washington, D.C. (Nov. 10, 2023).

Guest Speaker re Biden Administration Regulatory Policies, Valis Network Event, Washington, D.C. (Oct. 31, 2023) (no digital copy found).

Panel Speaker, DOJ, FBI, & the Trump Indictment, Meese Center Legal Strategy Forum, The Heritage Foundation, Washington, D.C. (Oct. 26, 2023) (no digital copy found).

Panel Speaker, *The Trump Indictments: Is the Justice System Rigged?*, The Heritage Foundation, Washington, D.C. (Oct. 6, 2023).

* Panel Speaker, *The Big Government Car Theft*, The Heritage Foundation, Washington, D.C. (June 12, 2023).

Panel Speaker, *The Role of Executive Branch Lawyers and the Presidential Records Act Compliance*, The Federalist Society, Executive Branch Review Conference, Washington, D.C. (Apr. 25, 2023).

* Panel Speaker, *The Administration of Antitrust: The FTC and the Rule of Law*, Global Antitrust Institute & C. Boyden Gray Center for the Study of the Administrative State, Scalia Law School, George Mason University (Oct. 14, 2022).

Panel Speaker, *Event on Bipartisan Consensus on Elections Legislation and Results* (Addressing Proposals to Amend the Electoral Count Act and the Presidential Transition Act), Hosted by the National Institute for Civil Discourse of

the University of Arizona, CommonSenseAmerican.org, Washington, D.C. (June 26, 2022).

* Panel Speaker, “Panel 1—Congress versus the Executive (Emergency Authority, the Border, Regulatory Reform, & Oversight),” *Congress’s Interbranch Role: The Executive, the Court, and Dobbs*, C. Boyden Gray Center for the Study of the Administrative State, Scalia Law School, George Mason University (held in the Capitol Visitors Center, Washington, D.C.) (May 22, 2022).

* Panel Speaker, *Breakout Panel: The Executive Branch’s Duty to Enforce*, The Federalist Society, Executive Branch Review Conference, Washington, D.C. (May 3, 2022).

* Welcome Address, *ABA Forum on Air and Space Law* (held virtually) (Sept. 10, 2020) (discussing DOT’s response to the COVID–19 public health emergency, with particular focus on the aviation industry and air traffic control operations) (presented in my official capacity as General Counsel of DOT) (no digital copy found).

* Panel Speaker, “Panel 3—Reform from the Field: Codifying the Administration’s Best Practices,” *U.S. Department of Justice Summit on Modernizing the Administrative Procedure Act* (Dec. 6, 2019).

* Participant, Joint News Conference of the EPA Administrator and Secretary of Transportation, *Fuel Economy Standards and Emissions Limits for New Light-Duty Vehicles—the Need for One Set of Federal Standards*, EPA Headquarters, Washington, D.C. (Nov. 19, 2019) (in my official capacity as General Counsel of DOT).

* Participant, *Meeting of the National Space Council Chaired by Vice President Pence* (Aug. 20, 2019) (in my official capacity on behalf of the Secretary of Transportation).

* Panel Speaker, *General Counsels of Federal Agencies*, National Republican Lawyers Association Conference (Apr. 5, 2019).

* Remarks, *Transportation Research Board (TRB) Annual Meeting*, Washington, D.C. (Jan. 13–17, 2019) (presented in my official capacity as General Counsel of DOT) (no digital copy found).

* Panel Speaker, *TRB Annual Workshop on Transportation Law*, Cleveland, OH (July 22, 2019) (in my official capacity as General Counsel of DOT) (no digital copy found).

* Remarks, *Interstate Natural Gas Association of America (INGAA) Washington Update Meeting*, Washington, D.C. (2019) (presented in my official capacity as General Counsel of DOT) (no digital copy found).

* Remarks, *National Stone, Sand & Gravel Association (NSSGA) Legislative & Policy Forum*, Washington, D.C. (Nov. 18–20, 2019) (presented in my official capacity as General Counsel of DOT) (no digital copy found).

* Panel Speaker, *ABA Air and Space Law Forum*, Chicago, IL (Sept. 27–28, 2018) (in my official capacity as General Counsel of DOT) (no digital copy found).

* Remarks, *Announcing the North Dakota Selection for DOT’s Unmanned Aircraft Systems (UAS) Pilot Program*, North Dakota Capitol Building, Bismarck, ND (May 9, 2018) (in my official capacity as a representative of the Secretary of Transportation).

* Keynote Address, Policy Update on DOT Regulation of Commercial Drones, *Association for Unmanned Vehicle Systems International (AUVSI) XPONENTIAL Conference 2018*, Colorado Convention Center, Denver, CO (May 1, 2018) (presented in my official capacity as General Counsel of DOT and representative of the Secretary) (no recording found but detailed draft outline of remarks can be provided in digital form from DOT files).

* Panel Speaker, “Workshop: A Beginner’s Guide to Preemption,” *Third-Annual FAA UAS Symposium, 2018*, Baltimore Convention Center, Baltimore, MD (Mar. 6, 2018) (in my official capacity as General Counsel of DOT) (no digital copy found).

* Moderator, “AV Policy Best Practices from All Levels of Government,” and Closing Remarks, *U.S. Department of Transportation Public Listening Summit on Automated Vehicle Policy*, DOT Headquarters, Washington, D.C. (Mar. 1, 2018) (in my official capacity as General Counsel of DOT) (no digital copy found).

Panel Presentation, “How to Shut It Down: Creative Strategies that Ended Government Antitrust Investigations,” *Dechert LLP’s 2017 Annual Antitrust Spring Seminar*, Philadelphia, PA (Apr. 4, 2017) (no digital copy found).

Panel Presentation, “Financial Services Breakfast Briefing: Current Developments Affecting the Fund Industry—Washington Update,” *Investment Company Institute (ICI) 2017 Annual Mutual Funds and Investment Management Legal Conference*, Palm Desert, CA (Mar. 14, 2017) (no digital copy found).

Panel Presentation, “A Term in Review: An Overview of Key Supreme Court Decisions from the 2015 Term & Thoughts About the Upcoming Term,” Dechert LLP CLE Seminar, Washington, D.C. (Nov. 29, 2016) (no digital copy found).

Panel Presentations, “A Bitter Pill?: Recent Developments in Pharma”; and “Antitrust in the Next U.S. Administration,” Dechert LLP’s 2016 Annual Antitrust Spring Seminar, Philadelphia, PA (Apr. 13, 2016) (no digital copy found).

Panel Presentation, “What Every Lawyer Needs to Know About Recent Supreme Court Cases,” Dechert LLP CLE Seminar, Washington, D.C. (Sept. 16, 2015) (no digital copy found).

Panel Presentation, Dechert LLP’s 2015 Annual Antitrust Spring Seminar, Philadelphia, PA (Apr. 28, 2015) (no digital copy found).

Debate Participant, *FISA Section 215: A Debate about Its Legality, Usefulness and Civil Liberties*, The Heritage Foundation, Washington, D.C. (Mar. 17, 2015) (debating Prof. Laura Donohue of Georgetown Law School).

Remarks, “The Legal Framework for Cybersecurity,” Presented to the Legal Department of Raytheon Company, Waltham, MA (Nov. 4, 2014) (no digital copy found).

Featured Speaker, *IS It Legal? Legal Authority for the Campaign Against the Islamic State*, The Federalist Society, D.C. Young Lawyers Chapter, and the Alexander Hamilton Society, Mayflower Hotel, Washington, D.C. (Oct. 22, 2014) (appearing with John B. Bellinger II).

Moderator, Discussion Between Two Former SEC Commissioners Regarding “*Corporate Disclosure Effectiveness: Ensuring a Balanced System [of SEC Disclosure Requirements] that Informs and Protects Investors and Facilitates Capital Formation*,” U.S. Chamber of Commerce, Washington, D.C. (July 29, 2014) (no digital copy found).

Panel Speaker, Discussion Regarding Supreme Court’s Decision in *Utility Air Regulatory Group v. EPA* Striking Down EPA Rule on Greenhouse Gas Emissions from Stationary Sources, ABA Administrative Law Section Forum, Washington, D.C. (July 24, 2014) (no digital copy found).

Panel Presentation, Dechert LLP, “So the Government Thinks Your Deal Is Anticompetitive: Restructuring Your Deal to Overcome Antitrust Hurdles,” Lawline CLE Webinar, New York, NY (June 24, 2014) (no digital copy found).

Video-Recorded Remarks Discussing Supreme Court’s Decision in Halliburton Case (Addressing Securities Law Class Action Standards), Federalist Society YouTube Video Series, Washington, D.C. (June 23, 2014).

Panel Speaker, “*Executive Branch Action in a Time of Political Dysfunction?*,” American Constitution Society, Annual Convention, Washington, D.C. (June 20, 2014).

Panel Speaker, “*Debrief on Supreme Court’s UARG v. EPA Opinion Regarding Greenhouse Gas Rules*,” Environmental Law Institute, Associates Seminar, Washington, D.C. (June 19, 2014) (no digital copy found).

Panel Speaker, “Foreign Intelligence Surveillance in an Era of ‘Big Data’—Is There a Need to Recalibrate Boundaries?,” ABA Standing Committee on Law and National Security, Washington, D.C. (May 2, 2014) (no digital copy found).

Panel Presentation, “What Every Lawyer Needs to Know About Recent Supreme Court Cases,” Dechert LLP CLE Seminar, New York, NY (Apr. 30, 2014) (no digital copy found).

Panel Presentation, “*Apple Mash-Up—Cautionary Tale or Sui Generis?*,” *Dechert LLP’s 2014 Annual Antitrust Spring Seminar*, Philadelphia, PA (Apr. 29, 2014) (no digital copy found).

Panel Speaker, Forum on Data Privacy and Balancing National Security and Civil Liberties, Clements Center for National Security, University of Texas Law School, Austin, TX (Apr. 3, 2014) (no digital copy found).

Panel Speaker, Panel Discussing Data Privacy and Constitutionality of National Security Surveillance Activities, Georgetown Journal of Law & Public Policy Spring Symposium, Washington, D.C. (Mar. 27, 2014) (no digital copy found).

Panel Speaker, *Panel Discussing Constitutionality of Border Searches of Electronic Media by TSA Officials*, National Press Club, Washington, D.C. (Mar. 20, 2014) (no digital copy found).

Featured Speaker, “*National Security versus Data Privacy*,” Ferrum College Annual Forum, Roanoke, VA (Mar. 19, 2014) (no digital copy found).

Panel Speaker, “*Balancing Privacy and Security*,” Federalist Society’s 33rd Annual National Student Symposium, Univ. of Florida Levin College of Law, Gainesville, FL (Mar. 7, 2014).

Panel Speaker, Addressing the *Halliburton* Case and the Supreme Court’s Reconsideration of the *Basic v. Levinson* Presumption of Reliance in Securities Fraud Litigation, D.C. Bar Luncheon, Washington, D.C. (Mar. 5, 2014) (no digital copy found).

Panel Speaker, Addressing Individual Privacy and National Security, Chicago Bar Association Forum, Union League Club, Chicago, IL (Mar. 3, 2014) (no digital copy found).

Panel Speaker, “*Erica P. John Fund & Beyond: The Past, Present, and Future of Securities Class Actions*,” U.S. Chamber of Commerce, Washington, D.C. (Feb. 28, 2014) (no digital copy found).

Panel Speaker, “*Debrief of the Supreme Court’s Oral Argument on EPA’s Greenhouse Gas Rulemakings*,” D.C. Bar Association, Washington, D.C. (Feb. 25, 2014) (no digital copy found).

Panel Speaker, Constitutionality of NSA Programs, Organized by the National Security Law Committee of the Federalist Society, Held at the Offices of Jones Day, Washington, D.C. (Feb. 24, 2014) (no digital copy found).

Panel Speaker, Addressing Fallout from the NSA Revelations for Foreign Relations and the Legal Regime Governing Surveillance in the U.S. and Among Our Allies, Breakfast Panel Debate, Council on Foreign Relations, Washington, D.C. (Feb. 20, 2014) (no digital copy found).

Panel Speaker, Conference on Privacy and Security, Chicago Council on Global Affairs and Notre Dame Law School’s International Security Program, Chicago, IL (Feb. 14, 2014) (no digital copy found).

Panel Speaker, “*Reforming the NSA Surveillance System: Assessing the Options*,” at the State of the Net Conference, Organized by the Internet Education Foundation and the National Cable and Telecommunications Association, The Newseum, Washington, D.C. (Jan. 28, 2014).

Featured Speaker, Address on the Constitutional Underpinnings of the NSA Programs, Stanford Law School Constitutional Law Center, Stanford, CA (Jan. 23, 2014) (no digital copy found).

Webinar Presentation, “Supreme Court Takes on the Clean Air Act: *EME Homer and Utility Air Regulatory Group v. EPA*,” Bloomberg BNA Webinar (Dec. 17, 2013) (no digital copy found).

Panel Speaker, Addressing Cybersecurity and the NSA Disclosures, Federalist Society National Lawyers Convention, Washington, D.C. (Nov. 15, 2013) (no digital copy found).

Debate Participant, “NSA Surveillance: A Necessary Evil?,” Paul H. Nitze School of Advanced International Studies (SAIS), Johns Hopkins University, Washington, D.C. (Oct. 28, 2013) (debating Prof. David Cole of Georgetown Law School, moderated by SAIS Prof. John McLaughlin, former Deputy Director of the CIA) (no digital copy found).

Participant, Debate on National Security versus Privacy Interests, St. Thomas Law School, St. Paul, MN (Oct. 3, 2013) (no digital copy found).

Panel Presentation, CLE Seminar on Antitrust Law Developments, Presented to Time Warner Inc. Legal Department, New York, NY (Sept. 24, 2013) (no digital copy found).

Participant, Debate on Legality of NSA Programs, *Milbank Tweed Forum*, NYU Law School, New York, NY (Sept. 18, 2013) (debating Liza Goitein of the Brennan Center for Justice, among others) (no digital copy found).

Participant in *Nationally Televised Debate Addressing the Propriety and Legality of the NSA Programs Disclosed by Edward Snowden*, PBS News Hour,

Shirlington, VA (July 31, 2013) (debating author and NSA critic Jim Bamford) (no digital copy found).

Participant in *Radio Debate Addressing the Legality of the NSA Program Disclosed by Edward Snowden*, Minnesota Public Radio's *Daily Circuit* Program (July 30, 2013) (debating Marc Rotenberg of EPIC).

Podcast Debate, *Bulk Data Collection and the NSA*, Debate on Constitutionality of NSA Programs Disclosed by Edward Snowden, Federalist Society Teleforum, Washington, D.C. (July 23, 2013) (debating Prof. Randy Barnett of Georgetown Law School).

Webinar Presentation, "*FTC v. Actavis, Inc.*: The Unsettling of Hatch-Waxman Settlements," BNA Bloomberg Webinar (July 16, 2013) (no digital copy found).

Guest on Public Radio Program *To The Point With Warren Olney* Discussing the FISA Court and NSA Programs (July 10, 2013) (debating with Cong. Adam Schiff of California) (no digital copy found).

Prepared Remarks and Q&A Addressing Legal Bases for NSA Programs, Delivered before a *Workshop of the Privacy and Civil Liberties Oversight Board*, Washington, D.C. (July 9, 2013).

Live Analysis, *SCOTUS Decision in FTC v. Actavis, Inc.*, Dechert LLP, Washington, D.C. (June 19, 2013) (no digital copy found).

Panel Speaker, Addressing Cost-Benefit Analysis and OMB Review of Administrative Rulemaking, Federalist Society Luncheon Event, National Press Club, Washington, D.C. (June 11, 2013) (no digital copy found).

Panel Speaker in Live Conference and Podcast, *The Pentagon, the National Security Agency, and Domestic Cybersecurity*, Federalist Society International & National Security Law Practice Group, Washington, D.C. (May 3, 2013).

Panel Presentation, Dechert LLP's 2013 Annual Antitrust Spring Seminar, Philadelphia, PA (Apr. 17, 2013) (no digital copy found).

Webinar Participant, Briefing on Supreme Court Case *FTC v. Actavis, Inc.* Regarding Intersection of Patent Law and Antitrust, American Intellectual Property Law Association Webinar, Washington, D.C. (Apr. 2, 2013) (no digital copy found).

Panel Speaker, "The Importance of Cost-Benefit Analysis in Agency Rulemaking," U.S. Chamber of Commerce Center for Capital Markets Competitiveness, Washington, D.C. (Mar. 12, 2013) (no digital copy found).

Featured Speaker, "*Agency v. Agency (and Other Problems of Overlapping Jurisdiction)*," Federalist Society Event, Duke Law School, Durham, NC (Jan. 31, 2013) (no digital copy found).

Panel Speaker, *Private Attorneys and the War on Terror*, The Federalist Society, National Press Club, Washington, D.C. (Dec. 6, 2012).

Debate Presentation, "Debating the USA PATRIOT Act: 10 Years Later," Appellate Judges Education Institute, 2012 Annual Summit, New Orleans, LA (Nov. 18, 2012) (debating Susan Herman, National President of the ACLU) (no recording found but I later published the substance of my presentation on my Substack site at *Rumination: The USA PATRIOT Act*).

Webinar Participant, "*The Legal Challenge to the CFTC's New Registration Regime for Mutual Funds*," Mutual Fund Directors Forum Webinar, Washington, D.C. (Oct. 9, 2012).

Web Video, Addressing Federal Trade Commission's Policy Change in Seeking Restitution in Enforcement Proceedings, Washington Legal Foundation Web Video, Washington, D.C. (Aug. 30, 2012) (no digital copy found).

Debate Participant, "After Oral Argument: The Supreme Court and the Affordable Care Act," *American Constitution Society Annual Convention*, Washington, D.C. (June 16, 2012) (debating Walter Dellinger, former Acting Solicitor General; moderated by Adam Liptak of the *New York Times*) (no digital copy found).

Mock Oral Argument on the Constitutionality of the Individual Insurance Mandate in the Affordable Care Act, Georgetown Law School Supreme Court Institute, Washington, D.C. (Feb. 1, 2012) (arguing opposite Walter Dellinger, former Acting Solicitor General, before a distinguished panel of Supreme Court practitioners sitting as mock justices) (no digital copy found).

Panel Speaker, Addressing Developments in Cybersecurity Law, Steptoe & Johnson Forum, Washington, D.C. (June 28, 2011) (no digital copy found).

Featured Speaker, Roundtable Discussion on the Developing Legal Framework for Defensive and Offensive Cybersecurity, Council on Foreign Relations, Washington, D.C. (Apr. 18, 2011) (no digital copy found).

Keynote Address, “*The Developing Legal Framework for Defensive and Offensive Cyber Operations*,” Harvard National Security Journal Forum on Cybersecurity, Harvard Law School, Cambridge, MA (Mar. 4, 2011).

Remarks Addressing *Matrixx Initiatives* Supreme Court Case, Federalist Society Press Call, Washington, D.C. (Jan. 6, 2011) (no digital copy found).

Moderator, “*Merck & Co. v. Reynolds*,” Law Seminars International TeleBriefing (May 8, 2010) (panel presentation included Richard Cordray, then Attorney General of Ohio) (no digital copy found).

Panel Presentation, Dechert LLP, Spring Antitrust CLE Seminar, Philadelphia, PA (Apr. 28, 2010) (no digital copy found).

Remarks on Receiving the Intelligence Under Law Award, NSA’s Law Day, National Security Agency, Fort Meade, MD (May 1, 2008) (no digital copy found).

Remarks, *Farewell Ceremony for Attorney General Alberto R. Gonzales*, Great Hall of the U.S. Department of Justice, Washington, D.C. (Sept. 17, 2007).

Remarks Delivered to Attorneys of My Former Law Firm, Kirkland & Ellis LLP, Concerning the Functions of the Office of Legal Counsel and My Experiences as Acting AAG, Washington, D.C. (Jan. 22, 2007) (no digital copy found).

Guest on NPR’s *Morning Edition* Radio Program, *Explaining the Legal Basis for the Special NSA Surveillance Program Authorized by the President*, Washington, D.C. (Feb. 14, 2006).

Continued Guest Appearance, *Explaining the Legal Basis for the Special NSA Surveillance Program Authorized by the President*, C-SPAN Washington Journal, Washington, D.C. (Feb. 8, 2006).

Guest Appearance, *Explaining the Legal Basis for the Special NSA Surveillance Program Authorized by the President*, C-SPAN Washington Journal, Washington, D.C. (Feb. 8, 2006).

* In addition to the presentations listed above, in private practice with Kirkland & Ellis LLP between 1993 and 2004, I participated in several panel discussions for industry or bar associations concerning matters or issues on which I was working; these included: a Washington Legal Foundation panel discussing an upcoming Supreme Court Term; a panel discussing antitrust litigation in the securities industry at the Securities Industry Association Annual Law and Compliance Seminar; and a panel discussing airline industry mergers at the ABA’s Air and Space Law Section Annual Conference.

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

Note: I have made many public statements during the past ten years on a wide range of topics, mostly addressed to legal and public policy matters not directly relevant to DOT or the position of Deputy Secretary of Transportation. The following is the most complete list I could compile of my TV appearances, radio segments, podcasts, and other public statements made since 2014 that are not listed in response to previous questions. Those marked with an asterisk (*) concerned topics of potential relevance to DOT:

Quoted in Christina Lewis, *Heritage Launches \$1 Million Campaign to Expedite Senate Confirmation of Trump’s Cabinet Picks*, The Daily Signal (Nov. 21, 2024).

* Comments for the Record Submitted to EPA re “*California State Motor Vehicle Pollution Control Standards; Advanced Clean Fleets Regulation; Request for Waiver of Preemption and Authorization*” (Sept. 13, 2024) (submitted in my personal capacity).

* Radio Segment re *CAFE Regulation*, Steve Gruber Show, WJIM, Grand Rapids, MI (Sept. 3, 2024).

* Video Interview re *CAFE Regulation*, Conducted by Motivo Documentary producers for prospective documentary entitled “*Shaped: CAFE Standards and EVs*,” under production for The Federalist Society (Aug. 22, 2024) (recording currently unavailable; documentary expected to be released in Spring 2025).

Webinar, *Courthouse Steps Decision: United States of America v. Donald J. Trump, Waltine Nauta, and Carlos De Oliveira*, The Federalist Society (July 31, 2024).

Radio Segment re *Project 2025 Myths & Truths*, Jimmy Barrett Show, KPRC, Houston, TX (July 29, 2024).

Radio Segment re *Project 2025 Myths & Truths*, Mornings with JT, WERC, Birmingham, AL (July 26, 2024).

Quoted in Jarrett Stepman, *Supreme Court Throws Back 'Chevron Deference' in Ruling on Fishermen's Case Against Government*, The Daily Signal (June 28, 2024).

TV Appearance, *Fischer v. United States: Supreme Court Sides with Jan. 6 Protester*, Newsmax, The Record with Greta Van Susteren (June 28, 2024).

Quoted in Claire Heddles, *SCOTUS Is Poised to Make It Easier to Beat the Government. Big Law Is Ready to Make a Killing.*, NOTUS (May 30, 2024).

Quoted in Gram Slattery, Sarah N. Lynch & Andrew Goudsward, *Donald Trump wants to control the Justice Department and FBI. His allies have a plan.*, Reuters (May 29, 2024).

Audio Interview re Proposals for FBI Reform, Conducted by Zoe Chace for *This American Life* Podcast (May 16, 2024) (no part of my interview was used in the released podcast episode, available here: *Come Retribution*).

Podcast, *Trump v. United States—Post-Argument SCOTUScast*, The Federalist Society (May 2, 2024).

Interviewed re FISA Reauthorization in *The World and Everything in It: May 1, 2024*, World News Group Radio Program (May 1, 2024).

TV Appearance, *Supreme Court Weighs Presidential Immunity*, Newsmax, Newline with Bianca de la Garza (Apr. 25, 2024).

Live Podcast, “*How Far Can the EPA Go in Regulating a State's Emissions?*,” Constituting America Series, Constitutional Chats (Apr. 23, 2024).

* Comments for the Record submitted to EPA re “*California State Nonroad Engine Pollution Control Standards; In-Use Locomotive Regulation; Requests for Authorization*” (Apr. 19, 2024) (submitted jointly with Washington Legal Foundation) (submitted in my personal capacity).

Radio Segment re *FISA Reauthorization*, Moon Griffon Show, KPEL, Lafayette, LA (Apr. 17, 2024).

Radio Segment re *FISA Reauthorization*, Stacy on the Right, National (Apr. 16, 2024) (no digital copy found).

Video Conference Call with Reporters re *FISA Reauthorization*, The Heritage Foundation (Apr. 15, 2024) (participating reporters included Sean Moran from Breitbart, John Hines from OAN, Luis Martinez from NTD, and Jackson Richman from Epoch Times).

Quoted in Leo Briceno, *Reforms to spy law pass despite GOP fracture*, World News Group (Apr. 12, 2024).

Radio Segment re *FISA Reauthorization*, Scripps News with Stephanie Liebergen (Apr. 11, 2024) (no digital copy found).

* TV Appearance re Baltimore Bridge Collapse, Newsmax2, First Edition (Mar. 27, 2024) (no digital copy found).

* TV Appearance, *Investigation Underway into Baltimore Bridge Collapse*, Fox Business, Mornings with Maria (Bartirromo) (Mar. 27, 2024).

* TV Appearance re Baltimore Bridge Collapse, Newsmax2, Todd Starnes Show (Mar. 26, 2024) (no digital copy found).

* TV Appearance, *Baltimore Bridge Collapses After Cargo Ship Crash*, Newsmax, National Report (Mar. 26, 2024).

* Audio Podcast in Brian Gottstein, *Distracted By Climate Change? Former Trump Transportation Official Weighs in on Bridge Collapse*, The Daily Signal (Mar. 26, 2024).

* Prepared Remarks, *EPA Public Hearing on California's Request for Authorization for CARB's In-Use Locomotive Regulation* (Mar. 20, 2024) (presented in my personal capacity).

* Video Message re *NHTSA's Consideration of Kill Switch Technology*, The Heritage Foundation (Mar. 5, 2024).

* Comments for the Record Submitted to NHTSA re “*Advanced Impaired Driving Prevention Technology*” (Mar. 5, 2024) (submitted in my personal capacity).

TV Appearance, *Supreme Court Watch: Nation's High Court Expected to Rule on Trump Ballot Case*, Newsmax, The Record with Greta Van Susteren (Mar. 1, 2024).

* Radio Segment re *CARB Trucking Regulations*, Your Financial Editor, WFMD, Frederick, MD (Feb. 17, 2024).

* Radio Segment re *CARB Trucking Regulations*, *Voice of Iowa Morning Show with Doug Wagner*, Iowa (Feb. 15, 2024).

Radio Segment re *Mayorkas Impeachment*, First News with Toby Howell, KARN, Little Rock, AR (Feb. 7, 2024) (no digital copy found).

Radio Segment re *Mayorkas Impeachment*, Afternoon Show, WBAP, Dallas, TX (Feb. 6, 2024) (no digital copy found).

Radio Segment re *Immigration Issues and Mayorkas Impeachment*, John Stiegerwald Show, Salem Radio, Pittsburgh, PA (Feb. 5, 2024).

Quoted in Leo Briceno, *Both parties push for FISA reform after intelligence abuses*, World News Group (Dec. 7, 2023).

* Radio Segment re *Virginia EV Rules*, *Freedom & Prosperity Radio* (Nov. 1, 2023).

* Townhall Discussion, Virginia Tele-Town Hall re *Virginia EV Rules* (Oct. 30, 2023) (no digital copy found).

Live Podcast, *The Fourth Amendment*, Constituting America Series (Oct. 24, 2023).

* Comments for the Record Submitted to NHTSA re “*Corporate Average Fuel Economy Standards for Passenger Cars and Light Trucks for Model Years 2027–2032 and Fuel Efficiency Standards for Heavy-Duty Pickup Trucks and Vans for Model Years 2030–2035*” (Oct. 16, 2023) (submitted jointly with Mario Loyola) (submitted in my personal capacity).

* Quoted in Jarrett Stepman, Opinion, *As Biden Admin Advances War on Fossil Fuels, Here's How You Can Fight Back*, The Daily Signal (Oct. 13, 2023).

* Radio Segment re *Biden EV Push*, *Ditch in the Morning*, WKIM, Memphis, TN (Sept. 19, 2023).

* Interviewed in Samantha Achieris, *Biden Admin, California Regulators Aim to Force Carmakers to Produce '100 percent Electric' Vehicles*, Heritage Expert Warns, The Daily Signal (Sept. 18, 2023).

Training Video, *Executive Order Drafting & Implementation*, Project 2025 Presidential Administration Academy, Conservative Governance: Advancing Policy (Aug. 29, 2023).

Radio Segment re *FBI Reform*, Salem Radio News, Salem Radio Network (Aug. 9, 2023) (no digital copy found).

* Quoted in Alex Gage, *Joe Biden Enjoys His 1967 Corvette While Forcing You to Go Electric*, The Daily Signal (Aug. 7, 2023).

Video Podcast Interview, *What's Inside Third Trump Indictment*, The Daily Signal (Aug. 2, 2023).

Quoted in Virginia Allen, *Surprising What Is—and Isn't—in 3rd Trump Indictment*, Legal Expert Says, The Daily Signal (Aug. 2, 2023).

Quoted in Tyler O'Neil, *Secret Service Refuses to Hand Over 'Known Pool of Individuals' List in White House Cocaine Incident*, The Daily Signal (July 27, 2023).

Radio Segment re *FBI Reform*, Kevin McCullough Show, WMCA, New York, NY (July 27, 2023) (no digital copy found).

Radio Segment re *FBI Reform*, First News, WWL, New Orleans, LA (July 24, 2023) (no digital copy found).

TV Appearance, *How to Fix the FBI*, Real America's Voice, America's Voice Live (July 20, 2023).

Radio Segment re *FBI Reform*, The Morning Wire, Daily Wire (July 15, 2023).

Interviewed in Samantha Achieris, *What's at Stake If FBI Isn't Fixed*, The Daily Signal (July 14, 2023).

Radio Segment re *FBI Reform*, Morning News Show with Drew Cline, WFEA, Manchester, NH (July 14, 2023) (no digital copy found).

Radio Segment re *FBI Reform*, Live and Local with Kevin Wall, KMZQ, Las Vegas, NV (July 13, 2023).

Radio Segment re *FBI Reform*, Dave Elswick Show, Salem Radio, Little Rock, AR (July 13, 2023) (need better link).

Radio Segment re *FBI Reform*, Rush to Reason, KLZ 560, Denver, CO (July 13, 2023).

* Quoted in Samantha Achieris, *How Proposed EPA Electric Vehicle Rule Would Compromise Auto Safety*, The Daily Signal (July 13, 2023).

Radio Segment re *FBI Reform*, Mornings with JT, WERC, Birmingham, AL (July 12, 2023).

Radio Segment re *FBI Reform*, Lee Elci Voice of Freedom, WJJF, New London, CT (July 12, 2023) (no digital copy found).

Radio Segment re *FBI Reform*, Rod Arquette Show, KNRS, Salt Lake City, UT (July 11, 2023) (no digital copy found).

Radio Segment re *FBI Reform*, Talk of the Town, 100.7 FM, Utica, NY (July 11, 2023).

Radio Segment re *FBI Reform*, Andy Caldwell Show, KUHL, Santa Barbara, CA (July 11, 2023).

Radio Segment re *FBI Reform*, John Stiegerwald Show, AM 1250, Pittsburgh, PA (July 10, 2023).

* Comments for the Record Submitted to the EPA re “*Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium Duty Vehicles*” and “*Greenhouse Gas Emissions Standards for Heavy Duty Vehicles—Phase 3*” (July 5, 2023) (submitted in my personal capacity).

Radio Segment re *Canadian Wildfires*, Lee Elci Show, WJJF, New London, CT (June 9, 2023).

Radio Segment re *Canadian Wildfires*, Paul Pacelli Show, WICC, Bridgeport, CT (June 8, 2023).

Video Message re *Canadian Wildfires*, The Heritage Foundation (June 8, 2023).

Quoted in Virginia Allen, *Rep. Andy Biggs Asks If Mayorkas Violated Border Security Law. ‘Yes,’ Expert Answers.*, The Daily Signal (June 7, 2023).

* Quoted in Terri Wu, *In-Depth: EPA Faces Backlash, Court Battles Over Its New Emissions Rules*, The Epoch Times (Apr. 23, 2023).

* TV Appearance, *EPA to Approve California Diesel Regulations*, One America News (OAN), In Focus with Addison Smith (Mar. 22, 2023).

* TV Appearance, *Norfolk Southern CEO Testifies Over Toxic Train Derailment*, Newsmax, American Agenda (Mar. 10, 2023).

Quoted in Virginia Allen, *The 1 Million Illegal Immigrant Encounters in Past 5 Months Is Equivalent to Population of Biden’s Delaware*, The Daily Signal (Feb. 27, 2023).

Quoted in Virginia Allen, *Supreme Court Cancels Arguments for Health Measure Limiting Illegal Immigration*, The Daily Signal (Feb. 17, 2023).

Quoted in Virginia Allen, *4 Reasons Why Republicans Call for Impeaching Homeland Security Secretary Alejandro Mayorkas*, The Daily Signal (Feb. 8, 2023).

* TV Appearance, *FAA NOTAM system could be more efficiently operated if privatized: Steven Bradbury*, Fox News Live (Jan. 14, 2023).

* TV Appearance, *FAA System Outage Causes Nationwide Flight Delays and Cancellations*, Newsmax, Saturday Agenda (Jan. 14, 2023).

* TV Appearance re *America Grounded: FAA Software Outage Forces Nationwide Ground Stop*, Fox Business (Jan. 11, 2023).

* TV Appearance, *Flight Cancellations Leave Thousands Stranded*, Newsmax, Spicer & Co. (Dec. 28, 2022).

News Release, *Heritage Welcomes Former Acting Transportation Secretary Steven Bradbury as Distinguished Fellow*, The Heritage Foundation (Dec. 12, 2022).

* Audio Podcast, *Deep Dive Episode 226—Due Process Protections in Agency Enforcement Actions*, The Federalist Society (June 30, 2022) (audio version of webinar listed below).

* Webinar, *Due Process Protections in Agency Enforcement Actions*, The Federalist Society (May 31, 2022).

Teleforum, *Pending Litigation and the New Administration*, The Federalist Society (Feb. 8, 2017) (no digital copy found).

Teleforum, *The Second Annual Mike Lewis Memorial Teleforum*, The Federalist Society (Jan. 24, 2017) (discussing the Obama administration policy regarding the legal bases for using military force against terrorist organizations) (no digital copy found).

Audio Podcast, *Zivotofsky v. Kerry—Post-Decision SCOTUScast*, The Federalist Society (June 11, 2015).

Teleforum, *The President vs. Congress: Zivotofsky v. Kerry*, The Federalist Society (June 8, 2015) (no digital copy found).

Guest Appearance, *Discussion and Debate on Reauthorizing the PATRIOT Act*, C-SPAN Washington Journal, Washington, D.C. (May 16, 2015) (debating Neema Singh Guliani of the ACLU).

Video Commentary, *Halliburton v. Erica P. John Fund*, The Federalist Society (June 24, 2014).

Teleforum, *Fraud on the Market?—Oral Argument Preview of Halliburton v. Erica P. John Fund*, The Federalist Society (Mar. 4, 2014) (no digital copy found).

Guest on Radio Program Discussing FISA Court Process and NSA Programs, NPR Philadelphia Affiliate (Jan. 21, 2014) (no digital copy found).

Teleforum, *NSA Court Decision* [Discussing District Court Decision Enjoining NSA Metadata Program], The Federalist Society (Dec. 19, 2013) (no digital copy found).

* In addition to the public statements listed above, I made numerous posts and reposts on X.com and LinkedIn on a wide range of topics, some of which were relevant to DOT. All such posts are available at my X.com and LinkedIn accounts identified in response to Question 20.

* Furthermore, my current employer, The Heritage Foundation, has made the following posts on X.com that refer to me or my writings or that include video clips of me:

1. <https://x.com/Heritage/status/1870306115809849758> (Dec. 20, 2024) (video re FBI reform).
2. <https://x.com/Heritage/status/1860104543163363383> (Nov. 22, 2024) (video re President's nominees).
3. [*https://x.com/Heritage/status/1843794346534940935](https://x.com/Heritage/status/1843794346534940935) (Oct. 8, 2024) (video re CARB vehicle regulation).
4. [*https://x.com/Heritage/status/1831340140381311300](https://x.com/Heritage/status/1831340140381311300) (Sept. 4, 2024) (paper re CAFE regulation).
5. <https://x.com/Heritage/status/1806692026366181387> (June 28, 2024) (paper re Democracy and the abuses of our ruling elites).
6. <https://x.com/Heritage/status/1797651308121604359> (June 3, 2024) (paper re FBI reform).
7. [*https://x.com/Heritage/status/1764756195804373217](https://x.com/Heritage/status/1764756195804373217) (Mar. 4, 2024) (video re impaired driving sensors).
8. [*https://x.com/Heritage/status/1757497029435990335](https://x.com/Heritage/status/1757497029435990335) (Feb. 13, 2024) (paper re CARB trucking regulation).
9. <https://x.com/Heritage/status/1757458866533523627> (Feb. 13, 2024) (paper re FISA reform proposals).
10. [*https://x.com/Heritage/status/1733175858800787892](https://x.com/Heritage/status/1733175858800787892) (Dec. 8, 2023) (video of congressional testimony re EPA vehicle emissions rules).
11. [*https://x.com/Heritage/status/1708485166392389771](https://x.com/Heritage/status/1708485166392389771) (Oct. 1, 2023) (paper re CARB locomotive regulation).
12. [*https://x.com/Heritage/status/1705020947156042064](https://x.com/Heritage/status/1705020947156042064) (Sept. 21, 2023) (video re EV mandates).
13. [*https://x.com/Heritage/status/1688629581874343936](https://x.com/Heritage/status/1688629581874343936) (Aug. 7, 2023) (video re EPA vehicle emissions rules).
14. <https://x.com/Heritage/status/1684279581811826690> (July 26, 2023) (video of congressional testimony re border crossing numbers).
15. <https://x.com/Heritage/status/1679256822644080640> (July 12, 2023) (video re FBI reform).
16. <https://x.com/Heritage/status/1666899952658702352> (June 8, 2023) (video re Canadian wildfires).

17. <https://x.com/Heritage/status/1666843879012806667> (June 8, 2023) (video of congressional testimony re immigration enforcement).
18. <https://x.com/Heritage/status/1666527622581440521> (June 7, 2023) (video of congressional testimony re border crossing numbers).
20. List all digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the full name of an “alias” or “handle”, including the complete URL and username with hyperlinks, you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.
 X.com: @SGBradbury—www.x.com/sgradbury
 LinkedIn: Steve Bradbury—www.linkedin.com/in/steve-bradbury-8814a82b
www.Adespotoi.Substack.com (my own Substack site)
www.SGBradbury.Medium.com (my own Medium site)
 Truth Social: SGBradbury—www.truthsocial.com/sgradbury (not active)
 Instagram: SGBradbury—www.instagram.com/sgradbury (not active)
 Facebook: SGBradbury—www.fb.com/sgradbury (not active)
21. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date, committee, and subject matter of each testimony.
 Hearing before the House Committee on the Judiciary, Subcommittee on Immigration Integrity, Security, and Enforcement, “The Border Crisis: Is the Law Being Faithfully Executed?” (June 7, 2023) (testimony presented in my personal capacity).
 Hearing before the House Committee on Oversight and Accountability, Subcommittee on Economic Growth, Energy Policy, and Regulatory Affairs, “Driving Bad Policy: Examining EPA’s Tailpipe Emissions Rules and the Realities of a Rapid Electric Vehicle Transition” (May 17, 2023) (testimony presented in my personal capacity).
 Off-Site Discussion Convened by Congressman Andy Biggs of Arizona, “Potential Legal Bases for Impeachment of Alejandro Nicholas Mayorkas, Secretary of Homeland Security” (Feb. 8, 2023) (testimony presented in my personal capacity).
 Confirmation Hearing before the Senate Committee on Commerce, Science, and Transportation of Steven Gill Bradbury to be General Counsel of the Department of Transportation (June 28, 2017).
 Hearing before the House Committee on the Judiciary, “Examining Recommendations to Reform FISA Authorities” (Feb. 4, 2014).
 Hearing before the House Permanent Select Committee on Intelligence, “Legislative Proposals for Modifying NSA Programs and Amending FISA Authorities” (Oct. 29, 2013).
 Hearing before the House Committee on the Judiciary, “Oversight Hearing into the Administration’s Use of FISA Authorities” (July 17, 2013).
 Hearing before the House Ways and Means Committee, “The Ramifications of the Supreme Court’s Ruling on the Affordable Care Act” (July 10, 2012).
 Hearing before the House Ways and Means Committee, “The Constitutionality of the Individual Mandate in the Affordable Care Act” (Mar. 29, 2012).
 Hearing before the Senate Committee on the Judiciary, “The Due Process Guarantee Act: Banning Indefinite Detention of Americans” (Feb. 29, 2012).
 Hearing before the House Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, “Oversight of the Justice Department’s Office of Legal Counsel” (Feb. 14, 2008).
 Classified Hearing before the Senate Select Committee on Intelligence Concerning Legal and Policy Review of CIA Program (Apr. 12, 2007).
 Hearing before the House Committee on Armed Services, “Standards of Military Commissions and Tribunals Following the Supreme Court’s Decision in *Hamdan v. Rumsfeld*” (Sept. 7, 2006).
 Hearing before the House Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, “Legislative Proposals to Update the Foreign Intelligence Surveillance Act” (Sept. 6, 2006).

Hearing before the Senate Committee on the Judiciary, “The Authority to Prosecute Terrorists under the War Crimes Provisions of Title 18” (Aug. 2, 2006).

Hearing before the Senate Committee on the Judiciary, “FISA for the 21st Century” (July 26, 2006).

Hearing before the House Committee on Armed Services, “Standards of Military Commissions and Tribunals Following the Supreme Court’s Decision in *Hamdan v. Rumsfeld*” (July 12, 2006).

Hearing before the Senate Committee on the Judiciary, “*Hamdan v. Rumsfeld*: Establishing a Constitutional Process for Military Commissions” (July 11, 2006).

Confirmation Hearing before the Senate Committee on the Judiciary, Nomination of several nominees, including Steven G. Bradbury to be Assistant Attorney General for the Office of Legal Counsel, Department of Justice (Oct. 6, 2005).

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

I believe I am qualified to be Deputy Secretary of Transportation based on my extensive previous experience managing the Department of Transportation, including as the Acting Secretary of Transportation for a brief period of 8 days in January 2021; as the Acting Deputy Secretary of Transportation and the presidentially designated official who carried out the functions and duties of the Office of Deputy Secretary from September 2019 to January 2021; as the Senate-confirmed General Counsel, or chief legal officer, of DOT from November 2017 to January 2021; and as the designated Regulatory Policy Officer for DOT and a member of the Secretary’s senior leadership team during my entire tenure as General Counsel.

Furthermore, in my many years of private legal practice before November 2017, I represented numerous clients in significant regulatory matters before the U.S. Department of Transportation, from which I derived additional valuable experience with the Department’s exercise of its statutory authorities.

And since leaving government service in January 2021, including in my capacity as a Distinguished Fellow at The Heritage Foundation, I have continued to write and speak on issues of public policy relevant to the regulatory authorities of DOT.

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

If confirmed as Deputy Secretary of Transportation, my responsibilities will be to assist the Secretary of Transportation in carrying out the directions, policies, and priorities of the President of the United States and in properly and efficiently managing all programs, functions, offices, and activities of the U.S. Department of Transportation in the exercise of the Secretary’s statutory authorities in accordance with the law and the Constitution.

I previously managed the functions and duties of the U.S. Department of Transportation and the exercise of the Secretary’s legal authorities in my capacity as Acting Secretary of Transportation, Acting Deputy Secretary of Transportation, and General Counsel of DOT. I also gained significant organizational management experience as a litigation partner in two large international law firms and as the Acting Assistant Attorney General and Principal Deputy Assistant Attorney General in the U.S. Department of Justice.

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

I see the major challenges facing the Department of Transportation to be:

(a) promoting the safety and efficiency of America’s great transportation systems through the reasonable and effective application of the legal authorities granted to the Secretary by Congress in accordance with the policies and priorities of the President, while eliminating all irrational, discriminatory, and non-statutory policy goals and requirements that have detracted from or undermined the Department’s primary safety mission;

(b) achieving rational deregulation and smart regulatory reform in accordance with the President’s directions and consistent with law and with the preservation of competitive markets and incentives for private investment in innovation; and

(c) advancing critical and cost-beneficial transportation infrastructure improvements of national importance to the American people in accordance with the authorizations and appropriations provided by Congress and consistent with the President’s policies, priorities, and directions.

B. POTENTIAL CONFLICTS OF INTEREST

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

I currently am employed as a Distinguished Fellow at The Heritage Foundation ("Heritage") (a non-profit public policy think tank). If confirmed, I will resign from that position. Following my separation from Heritage, I will have no continuing financial arrangements, deferred compensation agreements, or other business dealings with Heritage or any other organization, associates, clients, or customers.

I currently participate in a 401(k) retirement plan and a 403(b) retirement plan through my employment with Heritage. Following my separation from Heritage, I will not continue to participate in these Heritage retirement plans and plan to roll out of them.

I currently hold a 401(k) retirement plan and a 401(a) retirement plan from my previous employment with Dechert LLP. The plan sponsor ceased making contributions to these plans upon my separation from Dechert LLP in 2017, and I plan to roll out of these plans upon my separation from Heritage.

I hold a health savings account (HSA) stemming from my previous employment with Dechert LLP. The account sponsor ceased making contributions to this HSA upon my separation from Dechert LLP in 2017. I plan to continue to hold this HSA.

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

No.

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

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation (DOT) Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved consistent with the terms of the ethics agreement I have entered into with the DOT Designated Agency Ethics Official, which will be provided to this Committee. I am not aware of any other potential conflicts of interest stemming from investments, obligations, liabilities or other continuing relationships.

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

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

As a law partner in Dechert LLP prior to my appointment as General Counsel of DOT in November 2017, I represented TK Holdings, Inc., the U.S. subsidiary of Takata Corporation, in an enforcement matter before NHTSA, a component of DOT, involving the recall of defective airbag inflators. Consistent with the rules of professional responsibility applicable to me as a member of the D.C. Bar and in accordance with the commitment I made to this Committee in connection with my nomination to serve as General Counsel of DOT, I have recused myself from any involvement on behalf of DOT or any other party in the ongoing enforcement matter concerning the recall

of Takata airbag inflators since my separation from Dechert LLP in November 2017. Should I be confirmed as Deputy Secretary of Transportation, I will continue to recuse myself from any involvement in the Takata airbag recall matter, including as it may relate to any successor of Takata Corporation or TK Holdings, Inc.

I am not aware of other potential conflicts of interest stemming from my prior business relationships, dealings, or financial transactions. Should I become aware of any such potential conflict of interest, I will follow the requirements of all ethics laws and regulations and the advice of the DOT Designated Agency Ethics Official as necessary and appropriate to resolve and eliminate the potential conflict.

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

In connection with the nomination process, I have consulted with the Office of Government Ethics and the DOT Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved con-

sistent with the terms of an ethics agreement I will enter into with the DOT Designated Agency Ethics Official, which will be provided to this Committee. I am not aware of any other potential conflicts of interest.

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

I have not been engaged by a client during the past ten years to influence legislation.

Since December 2022, as part of my work on public policy matters for The Heritage Foundation (a 501(c)(3) non-profit think tank), I have analyzed the merits (pros and cons) of proposed legislation and of regulations, as well as potential legislative and regulatory reforms. In my personal capacity, not on behalf of The Heritage Foundation or for any client, I have submitted comments to the EPA and NHTSA on proposed regulatory actions and have testified on public policy issues (1) before Committees of Congress, (2) as part of an off-site discussion held by a Member of Congress, and (3) in a public hearing hosted by the EPA. In 2023, I signed a letter in my personal capacity concerning a nomination for FAA Administrator then pending before this Committee.

In June and August 2022, prior to my employment with The Heritage Foundation, in my personal capacity and not for any client, I participated in a panel discussion and I authored an online article on my personal Substack site supporting congressional enactment of amendments to the Electoral Count Act (legislation subsequently enacted as the Electoral Count Reform Act of 2022).

Prior to my separation from Dechert LLP in November 2017, I represented clients (including TK Holdings, Inc., as noted above) in matters involving agency investigations and potential enforcement actions, including before DOT. In all such matters, I presented good faith arguments on behalf of my clients relating to the interpretation and application of relevant laws.

C. LEGAL MATTERS

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

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

No. I am aware that in May 2009 a coalition of groups announced an intention to submit bar complaints against two former Attorneys General and several other attorneys who served in senior positions in the U.S. Department of Justice, including me, in connection with legal advice previously provided to the President with regard to the War on Terror. To my knowledge, no such complaints were accepted for filing by my bar, the D.C. Bar, and no bar complaint proceedings were ever initiated against me. The D.C. Bar has informed me that there is no record of any bar complaint against me.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, municipal, or foreign government entity, other than for a minor traffic offense? If so, please explain.

No, except as described in response to Question 4 below.

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

I have not been a party to civil litigation, administrative agency proceedings, or criminal proceedings, except as described in response to Question 4 below. My current employer and the law firms of which I have been a partner in the past have on occasion been parties to litigation, but none of those litigation matters has concerned activities involving me personally, and I am not personally familiar with the details of any such litigation matters.

Certain legal opinions issued by the Office of Legal Counsel (OLC) of the U.S. Department of Justice in 2002 and 2003 (before my time as Principal Deputy Assistant Attorney General for OLC) were the subject of an investigation by the Office of Pro-

fessional Responsibility (OPR) of the Department of Justice, and in the course of that investigation, OPR also considered certain later OLC opinions that I signed. OPR did not make any finding that my opinions failed to satisfy standards of professional responsibility. The final OPR report of July 2009 made recommendations concerning the earlier OLC opinions and did include criticisms of my later opinions, but that report was overruled and its recommendations were rejected by the senior career official of the Department of Justice (the career Associate Deputy Attorney General) in January 2010, and the OPR report does not have continuing official force or validity.

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

Yes, as follows:

a) Moving violation: Failure to yield right of way on a left turn (in connection with a traffic accident on Bradley Blvd. in Montgomery County, MD on 06/05/2002). On 10/01/2002, I pleaded guilty in Circuit Court of Montgomery County, MD, and paid a \$37 fine plus \$23 in court costs. The court reduced the points for this violation from 3 to 1.

b) I received a citation on 10/02/1981 for entering the New York City subway system without paying the fare. On 11/02/1981, I pleaded guilty in the Criminal Court of New York City and paid a \$10 fine.

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

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

D. RELATIONSHIP WITH THE COMMITTEE

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

Yes, to the extent reasonable and feasible and in accordance with Executive Branch guidance.

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

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

Yes, to the extent consistent with legal and customary requirements.

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



Steven Gill Bradbury

Work Experience

The Heritage Foundation, Washington, D.C., Dec. 2022-Present
Distinguished Fellow, Office of the Executive Vice President

Responsible for developing policy, preparing policy papers and articles, testifying in Congress, and speaking to the media. Policy focus includes transition planning for future conservative administration; transportation issues, including fuel economy regulation; environmental regulations, including emissions controls for motor vehicles; immigration; impeachment matters; law enforcement, including proposals for reform of the FBI and the Department of Justice; issues of executive authority; and other matters.

U.S. Department of Transportation, Washington, D.C., Nov. 2017-Jan. 2021

General Counsel (appointed by the President with Senate confirmation, Nov. 2017)

Acting Secretary of Transportation, Jan. 12-20, 2021 (pursuant to DOT succession order)

Acting Deputy Secretary, Sept. 2019-Dec. 2019; and *performed the functions and duties of Deputy Secretary*, Sept. 2019-Jan. 2021 (pursuant to Presidential designation)

Chief legal officer for Federal department with 55,000 employees and annual budget of \$87 billion (\$120 billion in FY 2020 with additional COVID funding under the CARES Act). Exercised final authority over all legal questions for DOT; managed all functions of the Office of the General Counsel; and supervised a Departmental legal staff of 500+ attorneys across all DOT offices and operating administrations. Responsibilities covered safety regulation, enforcement, litigation, oversight and FOIA, legislation, grant-making and loan authority, appropriations and budget law, environmental law and NEPA, labor and employment matters, contracts, ethics, civil rights, aviation competition, economic licensing of air carriers, and consumer protection. *Granted TS/SCI security clearance.*

As DOT's *Regulatory Policy Officer*, led the Department's efforts at regulatory and enforcement policy reforms, ensuring due process in enforcement actions and achieving \$98 billion in regulatory cost savings for the U.S. economy.

As a *core member of the Secretary of Transportation's senior leadership team, functioning as Deputy Secretary, and serving as Acting Secretary*, participated in managing all aspects of DOT's authority over the Nation's transportation systems and energy pipelines and all significant policy decisions, including:

Infrastructure grants and loans; economic licensing and consumer protection regulation of aviation; international transportation matters; aviation safety; commercial space licensing; Federal financial support for airports; highway safety; Federal support for highway construction and maintenance projects; commercial trucking and bus safety and grant programs; safety of America's freight and passenger railroads and support and oversight of Amtrak; Federal support of State and local transit systems; Federal support of the U.S.-flagged merchant marine industry; licensing of offshore LNG terminals; motor vehicle safety; vehicle fuel economy standards;

Steven G. Bradbury

Federal support for first responders; safety of pipelines and hazmat transport; safety approval of LNG export facilities; and operations of the St. Lawrence Seaway.

Served as *Chairman of the Board of Directors of the Union Station Redevelopment Corporation* and *Member of the FAA's Management Advisory Council* (Sept. 2019-Jan. 2021).

Received the Secretary's 2020 *Distinguished Service Award* for leadership in all aspects of DOT's response to the COVID-19 national public health emergency.

Dechert LLP, Washington, D.C., 2009-Nov. 2017

Litigation Partner, Antitrust/Competition Group

Practice included all aspects of antitrust, including government enforcement, merger reviews, and private litigation; other regulatory enforcement matters; administrative law and judicial review of agency actions; Supreme Court cases and appellate litigation; constitutional issues; general commercial litigation; data privacy and national security law.

See attachment for significant representations.

U.S. Department of Justice, Washington, D.C., 2004-2009

Acting Assistant Attorney General and Principal Deputy AAG, Office of Legal Counsel

Served as senior appointed official in charge of the Office of Legal Counsel ("OLC"). Nominated by the President to be Assistant Attorney General. As head of OLC, advised the President, the Attorney General, and the heads of executive departments and agencies of the Federal government on significant questions of constitutional, statutory, and administrative law and treaty interpretation; represented the Justice Department and the Executive Branch before Congress. *Held TS/SCI security clearance.*

Awards received during DOJ service: Edmund J. Randolph Award for outstanding service to the Department of Justice; Secretary of Defense Medal for Outstanding Public Service; National Security Agency's Intelligence Under Law Award; Director of National Intelligence's 2007 Intelligence Community Legal Award (Team of the Year for FISA Modernization); Criminal Division's Award for Outstanding Law Enforcement Partnerships

Kirkland & Ellis LLP, Washington, D.C., 1993-2004

Litigation Partner (1994-2004); *Associate* (1993-1994)

Practice included all aspects of antitrust, including government enforcement, merger reviews, and private litigation; securities law, including litigation and regulatory compliance; other regulatory enforcement matters; administrative law and judicial review of agency actions; Supreme Court cases and appellate litigation; trademark litigation; constitutional issues; and general commercial litigation. Named one of Top 40 Lawyers Under 40 by *Washingtonian* magazine (1998).

See attachment for significant representations.

Justice Clarence Thomas, Supreme Court of the United States

Law Clerk, 1992-1993

Steven G. Bradbury

U.S. Department of Justice, Washington, D.C., 1991-1992
Attorney-Adviser, Office of Legal Counsel

Judge James L. Buckley, U.S. Court of Appeals for the D.C. Circuit
Law Clerk, 1990-1991

Covington & Burling, Washington, D.C.
Associate, 1988-1990

Gained substantial Federal trial and appellate court experience. Represented Missouri and Washington State in defending suits brought by hospitals and nursing homes seeking additional Medicaid reimbursements. Represented policyholders and *amici* in suits seeking insurance coverage for environmental liabilities.

Davis Polk & Wardwell, New York, N.Y.
Legal Assistant, 1983-1985

Avon Books, a Division of Hearst Corporation, New York, N.Y., 1981-1983
Assistant Editor (1982-1983); *Editorial Assistant* (1981-1982)

Education

University of Michigan Law School, Ann Arbor, Michigan
 J.D., *magna cum laude*, May 1988. Order of the Coif.
 Article Editor, *Michigan Law Review*.
 Dean's 1987-1988 Law Review Award for outstanding contribution to the *Review*.
 Note, *Corporate Auctions and Directors' Fiduciary Duties: A Third-Generation Business Judgment Rule*, 87 Mich. L. Rev. 276 (1988).
 Book Awards: Administrative Law, Civil Procedure II, Legal Process.

Stanford University, Stanford, California
 B.A., June 1980. Major in English.
 Additional course work in history, politics, languages, and philosophy, including tutorial study in theory of knowledge at Lincoln College, Oxford University.

Bar and Court Memberships

District of Columbia Bar; Supreme Court of the United States; U.S. District Court for the District of Columbia;
 U.S. Courts of Appeals for D.C., First, Second, Fourth, Fifth, Sixth, and Seventh Circuits

Personal

Born and raised, Portland, Oregon. Married. Three grown children.

Steven G. Bradbury

Significant Representations in Private Practice

Kirkland & Ellis LLP:

- Lead counsel to Morgan Stanley in defending dozens of consolidated securities class action suits involving the allocation of shares in high-tech IPOs — *In re IPO Securities Litigation* (S.D.N.Y.) — and related litigation in various other courts.
- Lead counsel to Morgan Stanley in SEC and FINRA (then NASD) investigations of IPO allocation practices.
- Lead counsel to Morgan Stanley in successfully obtaining dismissal of antitrust class action relating to the allocation of shares in IPOs — *In re IPO Antitrust Litigation* (S.D.N.Y.).
- Lead antitrust and regulatory counsel to GTE Corporation in its \$56 billion merger with Bell Atlantic to create Verizon.
- Lead counsel to Verizon Communications in successfully obtaining dismissal of antitrust class action against Bell companies relating to competition for local telephone service — *Twombly v. Bell Atlantic Corp.* (S.D.N.Y.).
- Lead antitrust counsel to United Air Lines in obtaining DOJ approval of code-share agreement with US Airways.
- Lead antitrust counsel to United Air Lines in proposed acquisition of US Airways (abandoned).
- Lead counsel to GTE before the Antitrust Division of the U.S. Department of Justice, the Federal Communications Commission (FCC), the Competition Directorate of the European Commission (EC), and D.D.C. in successfully challenging Internet aspects of MCI-WorldCom merger.
- Represented AOL in defending AOL-Time Warner merger before the EC's Competition Directorate.
- Represented Bell Atlantic and DSC Communications Corp. in \$3.5 billion monopolization suit against AT&T and Lucent Technologies (E.D. Texas).
- **Represented Bell Atlantic and NYNEX in challenge to AT&T's \$19 billion acquisition of McCaw Communications** (E.D.N.Y.).
- Represented Bell Atlantic in antitrust defense of \$23 billion acquisition of NYNEX.
- Handled jury trial and argued appeal in magazine trademark suit between Petersen Publishing Co. and Time, Inc. (S.D.N.Y. & 2d Cir.).
- Represented NFL football players in Supreme Court case addressing the non-statutory labor exemption to the antitrust laws — *Brown v. Pro Football, Inc.*, 518 U.S. 231 (1996).

Steven G. Bradbury

Dechert LLP:

- Represented Takata Corporation in connection with investigations of airbag inflator ruptures by the National Highway Traffic Safety Administration (NHTSA), Congress, and other entities, and in related civil litigation.
- Represented Verizon in connection with wireless data roaming rate cases before the FCC.
- Represented American Airlines, Inc., in Department of Transportation rulemaking proceedings on competition and consumer protection issues and in international route authorization proceedings.
- Represented major media company in connection with Department of Justice and FCC antitrust review of the proposed merger of Comcast Corporation and Time Warner Cable, Inc., and the merger of Charter Communications and Time Warner Cable.
- Represented US Airways Group in defending merger with AMR Corp. (American Airlines) against antitrust challenge by the Justice Department and several States — *United States v. US Airways Group & AMR Corp.* (D.D.C.).
- Represented Polypore International, Inc., in appeal from Federal Trade Commission (FTC) antitrust order requiring divestiture of assets acquired from Microporous Products LP — *Polypore International, Inc. v. FTC* (11th Cir. and U.S. Sup. Ct.).
- Represented Turing Pharmaceuticals in Congressional investigation of drug pricing practices.
- Represented various financial industry associations and companies, including as *amici*, in judicial challenges to agency rulemakings under the Dodd-Frank Act.
- Represented U.S. Chamber of Commerce and Investment Company Institute as *amici* in support of MetLife, Inc.'s challenge to its designation as "too big to fail" by the Financial Stability Oversight Council under the Dodd-Frank Act.
- Represented U.S. Chamber of Commerce and National Association of Manufacturers as *amici* in various appellate cases before the Supreme Court and U.S. courts of appeals.
- Represented the American Intellectual Property Law Association as *amicus* before the Supreme Court in *FTC v. Actavis, Inc.* (U.S. Sup. Ct. 2013), concerning antitrust analysis of "reverse payment" patent settlements.
- Represented 215 economists as *amici* in appellate challenge to the Federal health care reform law (11th Cir. and U.S. Sup. Ct.).
- Represented Dean Foods Company in defending litigation brought by the Antitrust Division of the Justice Department and the States of Wisconsin, Illinois, and Michigan challenging Dean Foods' acquisition of milk processing plants — *United States v. Dean Foods Co.* (E.D. Wis.).

February 18, 2025

The Honorable Ted Cruz, Chairman
The Honorable Maria Cantwell, Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
Washington, D.C. 20510

Dear Chairman Cruz and Ranking Member Cantwell:

This letter provides an addendum to my response to Question 14 of the CST Committee's Questionnaire in connection with my nomination to be Deputy Secretary of Transportation. It also provides certain supplemental information requested in my meeting with Ranking Member Cantwell's staff on February 14, 2025.

Addendum to CST Questionnaire Response

In my response to Question 14 of the CST Committee Questionnaire, I neglected to note that I served as an informal and unpaid legal adviser to the Jeb Bush campaign in 2015-2016 (as previously noted in my 2017 CST Committee Questionnaire responses submitted in connection with my nomination to be General Counsel of DOT). This omission was inadvertent.

Supplemental Information in Response to Staff Questions

In my meeting with Ranking Member Cantwell's staff on February 14, 2025, I agreed to provide certain requested information to supplement my responses to the CST Questionnaire.

First, I was asked to confirm whether my contributions to "[Chapter 19: The Department of Transportation](#)" in the Project 2025 book of policy proposals, *Mandate for Leadership: The Conservative Promise*, were such that this chapter should be listed as a publication authored by me in response to Question 17 of the CST Committee Questionnaire.

Although I reviewed the chapter in draft and provided substantive input into it, I do not believe it would be fair or accurate to say that I co-authored the chapter, and accordingly I do not think it would be proper to list it in response to Question 17. I believe I was correctly identified in the Author's Note to the chapter itself as a contributor to the chapter, rather than a co-author.

In particular, as discussed in my meeting with staff, there are many policy suggestions included in the chapter that I do not subscribe to or that I would have articulated differently had I been a co-author of the chapter. Some of the proposals made in the chapter I disagree with, such as the proposals to separate the FAA's safety regulatory function from DOT and to repeal the Jones Act. Others, which may have merit as a theoretical matter, are so unlikely to be embraced by Congress that I would not expect to advise the Secretary to push for them if I were confirmed as Deputy Secretary. Among numerous others, these include the proposals to privatize the Nation's air traffic control operations, to end the Essential Air Service program, and substantially to

The Honorable Ted Cruz
The Honorable Maria Cantwell
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eliminate the Department's transit programs and its grant-making and lending functions, even for infrastructure projects of national importance.

Second, I agreed to provide an up-to-date certification from the D.C. Bar that no bar complaints have been filed against me, as stated in my response to Question C.1 of the CST Committee Questionnaire. That certificate is attached to this letter. I also requested a certificate of good standing from the D.C. Bar, and that certificate is attached, as well.

I hereby declare under penalty of perjury that the information provided above is true and correct.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven G. Bradbury", with a stylized flourish at the end.

Steven G. Bradbury

Attachments:

Certificate Concerning Discipline from the D.C. Bar
Certificate of Good Standing from the D.C. Bar



OFFICE OF DISCIPLINARY COUNSEL

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Disciplinary Counsel

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Charles M. Anderson

CERTIFICATE CONCERNING DISCIPLINE, AND/OR ADMINISTRATIVE SUSPENSION

The undersigned is Deputy Disciplinary Counsel for the District of Columbia Bar, having been appointed by the Board on Professional Responsibility ("Board") pursuant to Rule XI, § 4(e)(2), of the Rules of the District of Columbia Court of Appeals Governing the Bar. As such, this office is the custodian of the records of the Board and has access to the membership records of the unified District of Columbia Bar.

On December 5, 1988, Steven G. Bradbury was admitted to practice in the District of Columbia and currently is an active member in good standing of the Bar.

No discipline has been imposed upon this attorney nor has Disciplinary Counsel filed a petition seeking discipline against this attorney. No complaint has been filed, upon which basis, this attorney has been required to respond to a formal investigation by Disciplinary Counsel.

Julia L. Porter
Deputy Disciplinary Counsel

Dated: February 14, 2025

JLP:snl

Email: steven.bradbury@verizon.net



DCBAR

*On behalf of JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals,
the District of Columbia Bar does hereby certify that*

Steven G Bradbury

*was duly qualified and admitted on December 5, 1988 as an attorney and counselor entitled to
practice before this Court; and is, on the date indicated below, an Active member in good
standing of this Bar.*

*In Testimony Whereof,
I have hereunto subscribed my
name and affixed the seal of this
Court at the City of
Washington, D.C., on February 14, 2025.*

Julio A. Castillo
JULIO A. CASTILLO
Clerk of the Court

Issued By:

A handwritten signature in cursive script, appearing to read "David Chu".

David Chu - Director, Membership
District of Columbia Bar Membership

*For questions or concerns, please contact the D.C. Bar Membership Office at 202-626-3475 or email
memberservices@dcbar.org.*

The CHAIRMAN. Thank you, Mr. Bradbury.

Let us start with this. If you are confirmed as Deputy Secretary of Transportation what legacy would you like to leave in transportation and infrastructure?

Mr. BRADBURY. I would 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.

The CHAIRMAN. 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, D.C., in Philadelphia, in 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?

Mr. BRADBURY. We need to bring resources to bear immediately. I think the Secretary has indicated he is doing this to review all of the safety systems we use in air traffic control in the FAA.

We need to upgrade those systems. There has 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 have not 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 is 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 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.

The CHAIRMAN. 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 of 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?

Mr. BRADBURY. Well, the Secretary will make that judgment but he has been pretty clear that all safety critical officials are exempt

from the recent cuts and 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 is a major priority.

The CHAIRMAN. And just to clarify what the Secretary has said, there has been a lot of news coverage about the reduction in force at the FAA.

My understanding is it is less than 1 percent of the workforce and what Secretary Duffy has said is that no air traffic controllers were included in that and that no safety critical positions were included in that. Is that your understanding as well?

Mr. BRADBURY. Yes. I heard those statements and that is 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 will ensure that safety critical staffing is sufficient to address those needs.

The CHAIRMAN. 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?

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

The CHAIRMAN. Will you prioritize the renewal of TXDOT's NEPA assignment authority on reasonable terms before its expiration in March 2025?

Mr. BRADBURY. I 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 understand that Texas is one of those states and I think this is a good, efficient process.

The CHAIRMAN. For nearly four years five deepwater port license applications have languished in the U.S. Maritime Administration—MARAD.

Will you commit to expediting MARAD's review of the application from Texas-based Delfin and LNG?

Mr. BRADBURY. I definitely intend to look into that and make sure that MARAD is moving those applications forward as quickly and that there are not any unnecessary, unreasonable delays in that. I totally support the effort with deepwater ports.

The CHAIRMAN. Will you commit to reviewing penalties issued by the FAA against SpaceX and curtailing bureaucratic overreach at the FAA's Office of Commercial Space Transportation?

Mr. BRADBURY. Yes, and I strongly support further streamlining efforts with regard to commercial space licensing regulation.

The CHAIRMAN. OK. 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?

Mr. BRADBURY. I understand that the Secretary received that request and we will 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.

The CHAIRMAN. He said yes and I will 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?

Mr. BRADBURY. Yes.

The CHAIRMAN. Thank you.

Senator CANTWELL. Mr. Chairman, thank you.

Mr. Bradbury, I brought up the SMS rule in my opening statement and I am 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 are going to stop and fix it. So it is not—you cannot keep moving forward.

So in this article that was reported in—let me just put in the chart then.

We know that the rule was halted nine days after the MAX crash. Why did you stop the rulemaking from happening?

Mr. BRADBURY. Well, I do not know that I stopped it.

Senator CANTWELL. That is what is reported in the paper and I mentioned the FAA person who was in charge of the process who said the industry and everybody wanted to move forward and it was submitted, and then next thing you know it is pulled. So—

Mr. BRADBURY. Well, certainly we go through a 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 whenever you—

Senator CANTWELL. So you are saying you might have killed the SMS rule because you did not want it to apply to small manufacturers?

Mr. BRADBURY. I did not—I would not say I killed the SMS rule and let me say—

Senator CANTWELL. We still do not have one. Our committee has worked hard to get one and now it is 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.

Mr. BRADBURY. Well, Senator Cantwell, let me say I strongly support safety management systems as an approach to regulation.

Senator CANTWELL. A mandatory. A mandatory, not an optional—

Mr. BRADBURY. I 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 is 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 can——

Senator CANTWELL. Do you agree with the FAA's decision to allow the Boeing Company to continue to fly MAXes after the first crash?

Mr. BRADBURY. That was, I know, an 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 in 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——

Senator CANTWELL. The right decision——

Mr. BRADBURY. To ground the plane. To ground the plane.

Senator CANTWELL. OK. But back to—the FAA went to Seattle after the Indonesian crash and basically did not do any kind of thorough review. Again, a safety management system would have required an analysis. That is what safety management system—of critical features.

But the FAA, filled with light touch people, which we have tried to root out and that is why we try to pass strong legislation, because we do not want a light touch in aviation and we cannot have an efficiency approach or a bean counter approach because that is not saving lives and in reality it is not saving money either.

So we need an FAA and a DOT and a general counsel who is going to stand up to get these rules in place.

Mr. BRADBURY. I agree. I agree that we need strong safety management systems, as I indicated before, with accountability——

Senator CANTWELL. OK.

Mr. BRADBURY.—with real penalties, and we need to be tougher on Boeing. We need to be tougher on the—we need to be tougher on the railroads as we have seen with the East Palestine disaster.

Senator CANTWELL. OK. I do not have a ton of time left.

But so when this committee passed—so we did what the FAA would not do. We mandated a safety management system. That still is now rolling out.

But you were still there when we passed that. You could have just popped up the rule and said, let's go. But you didn't. Do you know why?

Mr. BRADBURY. I do not recall the ins and outs but we—let me just——

Senator CANTWELL. Do you see what I am saying about that? You had 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 us get going. This is clear. Let us 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.

Mr. 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.

Senator CANTWELL. OK. Here is one that is really bothersome right now and that is this letter that came out from Eleanor Holmes Norton that now shows this week that ADB-S Out was routinely turned off by the military.

He says in the letter—I have it, I will enter it in for the record. The question was due to the sensitive nature of missions supporting the movement of very important personnel in and around the NRC that the Army Aviation Brigade at Fort Belvedere and Marine helicopter squadron will execute 100 percent of their missions with ADS-B 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 are going to write a rule and they are exempted. Oh, but by the way, it is really only in these few instances and these few times, and then we find this letter that basically says it is 100 percent of the time we are 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 have been in the private sector.

Guess what? There is bureaucracy in the private sector. Big is a problem, OK. 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 cannot do it if we continue to have people who fall into this yes, we are going to allow this exemption. We are going to allow this to happen. We are going to do this in the name of efficiency.

So I am sure we will have more time, Mr. Chairman, but if you have a response that you know of now to this ADS-B issue, great. If not, I will take it for the record.

Mr. BRADBURY. Well, I do think the Secretary will want to work with the Secretary of Defense with regard to military aircraft in civilian airspace in the U.S. to ensure that systems that are needed for safety are used as appropriate, and that is an example of something where there needs to be coordination.

Senator CANTWELL. Like, just for the record, your thoughts on the former Obama rule and then the rule you proposed exempting them.

Thank you, Mr. Chairman.

The CHAIRMAN. 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 ADS-B 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 written to Eleanor Holmes Norton was

written in 2023 and in 2023 Joe Biden was the President and Lloyd Austin was the Secretary of Defense.

It was a Democrat administration that followed the policy of turning off ADS-B 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?

Mr. BRADBURY. That is correct.

Senator CANTWELL. Mr. Chairman, I do not think anybody knew that that was their policy. When you and I—

The CHAIRMAN. I agree. I agree.

Senator CANTWELL. When we had a briefing they never said that that was their policy. This just came to light when some—my guess is whistleblower or someone in the community saw all of this happening and came and said, oh, there is this letter. This is what their policy really is. Or at least this is what somebody stated to Eleanor Holmes Norton.

The CHAIRMAN. Well, and the Department of the Army did tell us in our briefing here—they came close to telling us that they regularly turn off ADS-B Out. They did not say 100 percent. A hundred percent is—sadly, it is not—it is not surprising and I think it is indefensible.

I feel confident that policy will change either by this administration unilaterally or I feel confident that Congress will make that policy change given the tragedy that happened over DCA.

Senator Fischer.

**STATEMENT OF HON. DEB FISCHER,
U.S. SENATOR FROM NEBRASKA**

Senator FISCHER. 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 the Essential Air Service and you said including examining the subsidies that airports receive.

Are you willing to commit to me and the Committee today that you stand with rural America and ensure that our airports are able to maintain Essential Air Service that meets those needs?

Mr. BRADBURY. Yes, Senator, and I 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 is a strong supporter of Essential 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 do not think that is realistic and I do not expect

to be pushing for anything approaching sunseting 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 is a process that happens periodically.

And it is a very important process and sometimes communities—new communities come into the program, et cetera, and that is something the Secretary will look at and I expect to assist him in that and with an eye to preserving the effectiveness of the program.

Senator FISCHER. OK. Thank you.

I also appreciated the opportunity yesterday to 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 have heard from state departments of transportation that there is a lack of that consistent guidance from U.S. DOT regarding the requirements needed for states such as to justify building back better after a disaster.

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

Mr. 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—policy goals that may not be necessary and that may divert from those central important goals of safety and efficiency.

So I think that consistency is critical and working closely with the state and the state DOTs is absolutely essential.

Senator FISCHER. I hope we can work together on that. Extremely important, and we can certainly see cost savings when things are more streamlined and made available to the states 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 has not always been fiscally responsible, I believe, nor have they been cooperative with their state rail partners who are operating profitable rail service across the 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 am 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?

Mr. 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 address that.

But with regard to the current situation with Amtrak, it is—there is so much additional funding that has been provided to Amtrak.

There is so much money in the system. We really need to take a careful look and ensure that it is being used efficiently and effectively, and there should not be any wasteful spending, unnecessary bonuses that do not make sense, and certainly they need to cooperate closely with states and local interests 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 does not include or that still assumes a lot of grant money coming from Congress.

A real tragedy for Amtrak what COVID did in terms of hitting it and it is still coming back. But we really need to take a hard look at the economics.

Senator FISCHER. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Blunt Rochester.

**STATEMENT OF HON. LISA BLUNT ROCHESTER,
U.S. SENATOR FROM DELAWARE**

Senator BLUNT ROCHESTER. 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?

Mr. BRADBURY. Thank you, Senator.

The Secretary and all of us at 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 and Secretary to take a hard look at how that discretion has been exercised, what decisions have been made, whether that is 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—

Senator BLUNT ROCHESTER. Which makes sense. The President can propose that and your answer is no, they cannot break that law. Do you believe the cancelation of the national electric vehicle infrastructure funding by Secretary Duffy is legal?

Mr. BRADBURY. Well, I do not know all the ins and outs of what is happening right now with particular funding programs.

I am confident the 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 is a healthy process.

Senator BLUNT ROCHESTER. The problem is we worked very hard on behalf of the American people. Passed legislation, got the funding. People have started programs. Shovels are in the ground.

I do not think it is 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 is no secret that transportation is one of our largest contributors to U.S. greenhouse gas emissions. The science is really clear. Why are we going backwards?

Mr. BRADBURY. Well, I do not 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 clearly reflects a view that standards in recent years have gone way beyond what the program was designed to achieve through corporate average fuel economy and was really becoming an instrument to—

Senator BLUNT ROCHESTER. Can you just confirm? Did you say he has not or it is paused or just—I am just trying to get clarity. He has not?

Mr. BRADBURY. I believe he directed NHTSA to review the standards and proposed replacements for them.

Senator BLUNT ROCHESTER. OK. Proposed, not change or stop or—OK.

And I personally think this reversal should it happen is bad for business. I think it is bad for automakers, who are seeking certainty from us as the government, and it is bad for the environment as well as I think a bad decision for lowering the cost of goods for American families.

As Deputy Secretary of Transportation you will also, once again, play an outsized role in the government's operation of vital safety programs.

There are numerous public reports detailing your role in obstructing the Boeing 737 MAX investigation conducted by this committee. Senator Cantwell shared very clearly some of those concerns. We believe that the safety of our families should be a non-partisan 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.

The CHAIRMAN. Thank you.
Senator Blackburn.

**STATEMENT OF HON. MARSHA BLACKBURN,
U.S. SENATOR FROM TENNESSEE**

Senator BLACKBURN. 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 appreciated our visit. I did want to talk with you for just a moment about banning Federal procurement of Chinese drones and that is legislation that I have had. It has 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 have been able to ban some of these companies from the drones and even though they are on the Commerce Department's Entity List they are still, because of some of these affiliations and murky corporate structures and partnerships, they are still selling EV chargers into the U.S. and that needs to come to a stop because these chargers just really grab massive amounts of consumer data, and if there are going to be charging stations and if there are 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?

Mr. BRADBURY. Oh, absolutely, I will 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 U.S. including EVs and other products and the components that go into them.

It is a national security concern in terms of sensors collecting data and where does that data go, who controls it—is it the CCP, et cetera.

But it is also an economic concern because these products are often subsidized by the Chinese government and undercutting U.S. industry and potentially gutting U.S. industry.

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

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

And we have got a lot of pilots that would like to keep flying. Some want to move from long calls to regional flights and I think they should have that option.

Mr. BRADBURY. I think that is 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 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.

Senator BLACKBURN. 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 are aware of that. We would like to see those steps implemented once again. This is an area where I have done a lot of work. 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 in 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.

Mr. BRADBURY. Well, I would welcome that opportunity. Those intermodal facilities are so critical to our national freight network and to the economy. It touches every American.

Senator BLACKBURN. Yes, it does. Thank you so much.

Mr. BRADBURY. Thank you.

Senator BLACKBURN. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Baldwin.

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

Senator BALDWIN. Thank you, Mr. Chairman.

Thank you for the opportunity, Mr. Bradbury, to meet and have discussions prior to this hearing.

I am going to mention that during Secretary Duffy's hearing I asked him about the Department of Transportation's finalized rule to discontinue manufactured products general waiver.

We talked about "Buy 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 Administration to sidestep "Buy America" rules.

It is a straightforward idea. When we use taxpayer dollars to build infrastructure we should be using American products and we should be supporting American 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?

Mr. BRADBURY. Oh, 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 is going to present some challenges.

But I welcomed 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 is no other option available and getting them to invest in the U.S. to support jobs and businesses in the U.S. and that is exactly what the “Buy America” requirement is designed to achieve.

We have to work very, very hard at it but I think we are going to be committed and we are not going to be granting waivers left and right.

Senator BALDWIN. That is very important to hear, and it is about job creation here in the United States, bringing jobs that we have lost back and keeping many here.

On the topic of safety I wanted to reference something that the Ranking Member noted in her opening comments. I am 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 346 people.

You led the Department of Transportation’s Office of General Counsel at that time. When Chair Wicker’s staff compiled evidence and it suggested that you intentionally withheld relevant information requested by the Committee, and I am quoting from the report, “and improperly redacted information and produced documents hindering the Committee’s oversight investigation.”

Chair Wicker’s staff report concluded that the level of cooperation by FAA and DOT was unacceptable and at times bordered on obstruction. It is—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 were not the right person in your previous job at the Department of Transportation?

Mr. 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 737 MAX disasters.

I think it was completely appropriate. It was not just the Senate Commerce Committee. It was also the House T&I Committee at the same time.

The FAA was inundated with requests and I believe the Secretary—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 block them or stonewall the requests.

Senator BALDWIN. I am going to have to cut you off there because I do have a couple of additional questions. But you can more fully answer if you would like in writing after the hearing.

I want to just ask a series of yes or no questions. Yes or no, do you support privatizing the air traffic control system?

Mr. BRADBURY. This is not—

Senator BALDWIN. Yes or no.

Mr. BRADBURY. This is not something I am going to propose or push to the Secretary.

Senator BALDWIN. OK. Do you support eliminating or defunding the Essential Air Service?

Mr. BRADBURY. As I have discussed, no.

Senator BALDWIN. Do you support reforming or repealing the Jones Act?

Mr. BRADBURY. No.

Senator BALDWIN. Do you support eliminating Federal discretionary grants at the Department of Transportation?

Mr. BRADBURY. No.

Senator BALDWIN. Thank you.

The CHAIRMAN. Thank you.

Senator Schmitt.

**STATEMENT OF HON. ERIC SCHMITT,
U.S. SENATOR FROM MISSOURI**

Senator SCHMITT. Thank you, Mr. Chairman.

I want to congratulate you, Mr. Bradbury. Enjoyed our visit in the office, and I think that 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 has sort of lost focus of its core mission.

I will also point out I have seen you in this committee more times than I ever saw Pete Buttigieg, which is an interesting little fun fact.

I want to talk to you a little bit what we—in our office we have talked about sort of 21st century airports, and having grown up in the shadow of Lambert in St. Louis it is sort of embarking on this new mission.

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

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

Senator SCHMITT. 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 are moving at rapid speed on a lot of things—infrastructure projects, clearly, in their own country but the “One Belt One Road” initiative in our country is sort of—hopefully we get back to focusing on real transportation projects here, not woke tag lines.

What are some things that can be done to help streamline that process, the approvals? Could you talk a little bit about maybe

some challenges with the way currently NEPA plays out in these projects?

Mr. BRADBURY. Absolutely. We have a real opportunity to undertake some fundamental review and reform of the NEPA process and the permitting.

Obviously, it is 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 is going to be a complete review of the regulations across the executive branch.

Each department and agency with an important stake in infrastructure projects will be redoing their NEPA regulations, and I look forward to working with CEQ—Council of Environmental Quality at the White House—and all the other departments and agencies in a cross-government effort to streamline NEPA, and there is 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.

Senator SCHMITT. 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. Then, of course, the Loper Bright case where the Chevron deference 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 or kind of what you foresee with the shifting tides here?

Mr. BRADBURY. Oh, absolutely.

With the Loper Bright decision it is very clear we cannot creatively interpret statutes to expand our authority into new areas. That is 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 that 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 is clear the Supreme Court has said now, wait a minute, there has got to be a clear authorization in statute from Congress before the agency can entertain that kind of transformational rule and I really think that is a critical restraint, and we see that with, I believe, with the CAFE program, for example.

Senator SCHMITT. Great. I 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 bureaucracy and get things right with AST?

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

Senator SCHMITT. Thank you. Congratulations.

Thank you, Mr. President—or thank you, Mr. Chairman.

Mr. BRADBURY. Thank you.

The CHAIRMAN. I will take the promotion.

[Laughter.]

The CHAIRMAN. Senator Hickenlooper.

**STATEMENT OF HON. JOHN HICKENLOOPER,
U.S. SENATOR FROM COLORADO**

Senator HICKENLOOPER. Thank you, Mr. Chair.

Mr. Bradbury, thank you very much. I grew up reading the science fiction writer Ray Bradbury and, obviously, Butte is a long way away from his domain. But I have met—you are the third Bradbury I have met. I have always—it is an unusual name.

Anyway, I appreciate 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, it is a big issue. Thirteen thousand people died in alcohol-impaired accidents last year nationwide.

In Colorado it is 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 do not 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-based impairment system that we can address this with?

Mr. BRADBURY. Well, that is a very interesting question. Thank you, Senator.

As you know, just as you said we do not have a blood test or a breath test, as I understand it, for being high on marijuana and driving, and it is a growing problem in the country.

I think NHTSA has put funds in and worked with local first responders and local sheriffs 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 is really a physical assessment at the scene and it is 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 the Justice Department could play an important role there through Justice grants programs and their law enforcement relationships.

So that is 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, NHTSA in particular, to look at those options for potentially being part of the new motor vehicle, and that is something we need to take a hard look at.

I am not sure that the accuracy and reliability is yet there but we need to continually assess the availability, the cost of that tech-

nology, the accuracy and reliability because that could be a solution.

But it needs to be something that is accepted by the American people if you are going to talk about something that you put in a new motor vehicle.

Senator HICKENLOOPER. Right. It will take the right process to get there to make sure that people buy into it.

Mr. BRADBURY. I think we are closer for drunk driving and that is something that may be on the horizon and is very important. As you say, 13,000 drunk driving deaths a year. Get that number down.

Senator HICKENLOOPER. That number—just so you are clear, on per lane miles 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—13,000 is too many. It was not too long ago that it was 30,000.

In terms of aviation safety, we are seeing too many accidents—you are aware of that—and they are not all at major airports. I look at airports and so much of it is the volume and they are big enterprises.

DIA in Denver International Airport is a massive enterprise. I was concerned with some of the recent formulas. Now we are going to look at birth rates in your state as a function of how some allocations of Federal infrastructure investments will be made. That is concerning.

But I also look at it in terms of the smaller airports which, again, in some of the western states we do not have that high birth rates and we do—obviously, as certain people try to encourage that as much as possible.

But we have always pursued efficiency when we look at government spending in our workforce and try to target clear goals on things like public safety, and I think in terms of our small airports, what is your sense of being able to make sure that we have the staff with the proper experience to be able to address this at a time when we are facing cutbacks?

And I worry that those are the—in many cases, 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 skill base within our workforce?

Mr. BRADBURY. I am sorry, Senator. Are you are talking about staffing at airports? Airport authority staffing or—

Senator HICKENLOOPER. The FAA. 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 to blend the Federal dollars and local dollars.

Mr. BRADBURY. That is right. That is right.

The grants that FAA administers for new terminals, new runways, et cetera, 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 look at achieving greater efficiencies, doing more with less at the Department of Transportation, it is 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.

Senator HICKENLOOPER. I appreciate that, and making sure we have the adequate staff, I think, is the key word there.

I yield back, Mr. Chair.

The CHAIRMAN. Thank you.

Senator Moran.

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

Senator MORAN. Chairman, thank you.

Mr. Bradbury, welcome to the Committee. Nice to see you again.

I think that some of the things that—at 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's 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 am asking you how you will implement the FAA reauthorization bill?

Mr. BRADBURY. Well, thank you, Senator, and 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 is a major focus—a major focus, I know, for the Secretary.

We are looking at it in terms of air traffic control but as you suggest it implicates all aspects of aviation industry and it is critical for FAA and Department of Transportation as a whole to stay up to pace with developments in technology and I think that is a new sort of attitude and approach that is 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 speed, improved, et cetera, 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 is a big emphasis. Thank you.

Senator MORAN. I appreciate that. I mean the promulgations 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 its importance.

This is the question that I think you have 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 have written about this but I think you have indicated in your testimony that you will be supportive of Essential Air Service and I want to ask that question.

Do you support Essential Air Service program and if confirmed will you support it in your role as the Deputy Secretary?

Mr. BRADBURY. I will, Senator. The President and Secretary have made very clear firm support for Essential Air Service. It is clear that the Congress as a whole and this committee strongly support it and I do not know that I have 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 is, obviously, important and as Congress has made the judgment that it is here and we need to support it. So I am definitely on board with that.

Senator MORAN. I appreciate that answer and I am sorry that I suggested you wrote about something that you may not have written about.

Again, I do not 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 is still to be the case today?

Mr. BRADBURY. I am not up to speed on that. I mean, I do not know, but I am sure the Secretary will follow through on his commitment to you and I certainly would support that.

It seemed to me that was a horrible accident that was entirely avoidable and just a terrible tragedy.

Senator MORAN. And I think I have got 19 seconds but I will yield back to the Chairman. Thank you.

Mr. BRADBURY. Thank you, Senator.

Senator MORENO [presiding]. Senator Kim.

**STATEMENT OF HON. ANDY KIM,
U.S. SENATOR FROM NEW JERSEY**

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 cannot 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 would just want to ask you do you believe that the Gateway Project is a critical infrastructure project that has both regional and national implications?

Mr. BRADBURY. Yes. As I mentioned to you yesterday, I definitely view that as a national—a project of national importance and we need to ensure that it is done efficiently and that the dollars are well spent.

That is true for every major infrastructure project we fund 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.

Senator KIM. Yes. No, I do not discount the need to be able to make sure we are being good stewards of the resources of this Nation and, you know, this project so far is on time and under budget. So, you know, we are 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 going. It is already underway and, obviously, as you know, putting the brakes on any construction project, let alone one of this magnitude, can just be really debilitated and, honestly, raise costs even more.

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

Mr. BRADBURY. Well, I will support the Secretary in the Department's commitment to projects such as the Gateway project and so I will not be making that decision—any of those decisions myself.

But I understand the importance of the project. I have worked on it the first time around. I think we had a good discussion about the tunnels and what could be done with the existing tunnels 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.

Senator KIM. As we are investing in this, you know, a big reason why we are doing so is to be able to make transit, especially for passengers, commuters, more reliable. Amtrak—I told you about the challenges we face 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 funded to the level that it needs to be? Do you believe that there is room or your perspective for cuts or greater investment?

Mr. BRADBURY. Well, I think that it is 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.

Senator KIM. Well, I guess I will ask you do you think that the funding for Amtrak is achieving its goals? From your experience before at the Department of Transportation what did you feel?

Mr. BRADBURY. Well, as I mentioned earlier, you know, 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 COVID.

I look forward to taking a hard look, Senator, to be frank, because there is a lot of money in the system.

Senator KIM. Yes.

Mr. BRADBURY. We just need to ensure that it is appropriate and it is being well spent.

Senator KIM. I do not discount that. It is just, you know, I hope I can hit home to you just how critical this is for reliability and for ability for people to get to and from work.

I want to just build on something. One of my colleagues asked you about your role on—well, your perspective on privatization of air traffic controllers. You said that you were not going to necessarily be the one that pushes that proposal forward.

But I guess I just wanted to ask you do you believe that privatizing air traffic controllers is a good idea?

Mr. 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 do not anticipate that I will be spending time promoting or pushing this, the Secretary of Transportation to recommend to the President this because it just is not something that has been embraced by Congress as a whole.

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

Thank you.

Senator KIM. OK. Thank you. I yield back.

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

Senator MORENO. Thank you for being here, Mr. Bradbury, and I recognize myself right now to speak.

Let me ask you a question. You are being asked to be confirmed as the Deputy Secretary of Transportation for United States of America. So first question I would ask you is, what is the most common form of transportation that Americans use on a day to day basis?

Mr. BRADBURY. The automobile. Americans love their cars and we have billions of trips by auto every year in the United States.

Senator MORENO. So let us talk about the car business, something near and dear to my heart. What is the impact of regulation after regulation after regulation on the auto industry in terms of the cost of automobiles?

Mr. BRADBURY. Well, 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 is a critical issue. We want new automobiles to be affordable.

We want Americans to buy more new automobiles, and it is not just to support the auto industry as an important part of our industrial base but it is because new cars and trucks are safer—significantly safer than old used vehicles and the statistics show that.

So affordability is not just an economic issue. It is a safety issue, too.

Senator MORENO. Well, thank you for that.

And if you look at the constitutional role of the Federal Government, would you agree that it is uniquely the role of the Federal Government to regulate interstate commerce?

Mr. BRADBURY. Yes. The Constitution gives that to Congress.

Senator MORENO. So meaning—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 or the idea that, hey, we are a united country and we should have standards that when they cross state lines that you have one Federal standard.

Is that fair to say? Is that what you think they had in mind?

Mr. BRADBURY. Yes, and I think that is what they have in mind for the CAFE program, for example—the 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 is what Congress decided on and it is important that we have that consistency. You cannot really build different fleets of vehicles for different states in the United States. That is not an efficient way for an auto manufacturer to function.

Senator MORENO. Because, 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 has 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?

Mr. BRADBURY. Well, I do think, as you 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 it was because of the terrible smog experienced in the L.A. basin primarily, and auto—new vehicles have gotten much cleaner in terms of those smog-causing pollutants.

So I think there is 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 motor vehicles in every region of the country.

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

Mr. BRADBURY. That is fair to say, yes.

Senator MORENO. And interestingly, because I think what—we will go back to the Constitution—I think what the Constitution had in mind is they did not want to have crazy state people making de-

cisions for the rest of the country, and when you have California, which is saying, hey, by 2030 you cannot basically have—two-thirds of the cars have to be electric and 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 do not think automotive engineers would think it is a good idea.

I will ask you this, Mr. Bradbury, straight up. You know, I think Senators think they are pretty powerful people. I think politicians think they are pretty powerful people. Do you think politicians can bend the laws of physics?

Mr. BRADBURY. No, I do not, nor the laws of economics.

Senator MORENO. I do not know that they know that because I think when you look at it and say, well, let us do more on CAFE standards, reduce this, and look, we are all for that.

I do not think there is anything special about California that—or Californians that they should have better air than Ohioans.

I just think that we have to be realistic about what is technologically possible and I think it is well past due after 51 years that we go back to our constitutional principles of 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, saying, hey, here is the rules of the road for the next 10 years so that they do not have to worry about some lunatic in California coming up with a rule that is completely unattainable, do you think that that would be healthy for our auto industry to compete worldwide?

Mr. BRADBURY. Oh, absolutely, and I think that is what Congress intended.

Unfortunately, in recent years we have seen dramatic swings in the regulatory landscape, and you hear from automakers all the time that that is the last thing they want to see is those swings and—but as you say, regulations cannot achieve an aspirational result that is 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 is what Congress intended, particularly for the fuel economy program.

Senator MORENO. Thank you for your testimony. I look forward to working with you once you are confirmed.

Mr. BRADBURY. Thank you, Senator Moreno.

Senator MORENO. I now recognize Senator Luján.

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

Senator LUJÁN. Thank you, Mr. Chairman.

Mr. Bradbury, thank you for being with us today. I am going to start with some yes or no questions and I would appreciate it if you could just keep them to simple yes or noes, if at all possible.

Will you follow the law?

Mr. BRADBURY. Yes, Senator.

Senator LUJÁN. Yes or no, Mr. Bradbury—is improving safety on our roadways a priority for you?

Mr. BRADBURY. Yes.

Senator LUJÁN. Yes or no, do you believe that technology plays a role in making cars safer?

Mr. BRADBURY. Absolutely, yes.

Senator LUJÁN. Yes or no, do you support the utilization of technology in cars to reduce collisions like radar and LIDAR?

Mr. 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.

Senator LUJÁN. I appreciate that.

Yes or no, do you support the utilization of advanced driver assistance systems to reduce roadway fatalities?

Mr. BRADBURY. Again, 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 is a calculus—a cost benefit calculus—because, again, we can go 100 percent on everything as a mandated requirement of the Federal Government but it is going to affect the bottom line. It is going to affect the affordability of vehicles and that always has to be kept in mind.

One thing that 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 to do it because it makes their products better, more attractive, more valuable to customers, and safer, and safety has got to be the objective. But affordability is an unavoidable component of that.

Senator LUJÁN. Which is more important?

Mr. BRADBURY. It is—safety is always, of course, more important but if—

Senator LUJÁN. I appreciate it. You answered the question.

Mr. BRADBURY. But if people are not buying—

Senator LUJÁN. So if I may—I am almost out of time, Mr. Bradbury. I appreciate you saying that because safety matters. People die on the roads.

Mr. BRADBURY. Too many people die.

Senator LUJÁN. In the early 1990s I was hit head on by a drunk driver. Thank God I am here, but there is 10,000 people a year who are not.

Mr. BRADBURY. That is right.

Senator LUJÁN. You know them. We know them. My colleagues know them.

Mr. BRADBURY. And 40,000 to 41,000 fatalities on America's highways every year that number is persistent and we need to drive it down.

Senator LUJÁN. Sadly, it is. I appreciate you saying that.

Do you support autonomous vehicles?

Mr. BRADBURY. Oh, I am very excited about autonomous vehicles.

Senator LUJÁN. Would you mandate this technology in autonomous vehicles?

Mr. BRADBURY. Mandate what technology?

Senator LUJÁN. Everything I just went over—radar, LIDAR, all of these safety features.

Mr. BRADBURY. I would be—well, we need a consistent national framework for the development of autonomous vehicles—automated vehicle technology, autonomous vehicles—

Senator LUJÁN. I appreciate 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?

Mr. BRADBURY. Those 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 certification or a process of testing.

And that is really what we need is a framework that is reliable, repeatable for testing autonomous vehicle systems to ensure safety, and then this is the way our system has worked for auto safety in this country.

Other countries may do it differently. They may dictate upfront what the requirements are and require sort of preapproval certification.

We recognize that we want to preserve incentives for investment and improvements in industry subject to testing and then, of course—

Senator LUJÁN. Let me ask this question, Mr. Bradbury.

Do you support the use of driver-monitoring technology both inside and outside the car?

Mr. BRADBURY. I think that is a question that will depend on 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 and to 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 NHTSA as they have collected comments and input in connection with their—there was an advance notice of proposed rulemaking.

Senator LUJÁN. Mr. Bradbury, you on your own submitted some comments to the record in this case and you said that, quote, “If NHTSA 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 in autonomous vehicles. I have not even gotten to what I am trying to get to, but you are 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 3 years ago. Under the Biden administration under Pete Buttigieg they dropped the ball. They did not finish the rule-making. I asked Senator—Secretary Duffy about this. I did not know this. He shared that his wife survived a head-on collision as well.

Mr. BRADBURY. That is right.

Senator LUJÁN. He knows what is going on here. The reason I am trying to get to the bottom of this when we talk about autono-

mous vehicles and this innovation in America, America should be the driver here and it is going to be expensive.

It is going to be expensive. But we need to keep people safe so that when they choose to buy that vehicle they are not going to die and they are not going to get killed on the road. So I certainly hope that we can get to this place 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?

Mr. BRADBURY. I will—we will follow the law as directed by Congress with regard to that and we will proceed forward, and as I indicated I look forward to seeing the information that has come in and talking to industry, talking to those who know more than I do about what that technology can achieve.

I believe that is what Congress wanted NHTSA to do, and I recognize that some forms of that technology may be closer than others.

So, for example, the technology in a starter button that can sense through the skin blood alcohol content and might prevent a car from being started—that is a kind of technology that may be closer on the horizon in terms of accuracy and reliability.

Senator LUJÁN. And Mr. Bradbury, please send some additional response to the record. I know I am over time here.

But it might surprise you if you are not aware that I think Volvo, Subaru, their cars already have this technology. They are driving on the roads in other countries. They are 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 them and check it out. I mean, it is pretty incredible what they have done.

Mr. BRADBURY. I look forward to.

Senator LUJÁN. And 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 is quite incredible when you can touch those conditions and then you let the innovation just get out there and solve these problems. We can save people's lives.

Thank you, Mr. Chairman.

Mr. BRADBURY. Thank you.

Senator MORENO. Just a real, very fast question back to you. Let us say that we do that, mandate everything. Look, as a former car dealer let us 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, not because they do not want the technology—they cannot afford it.

What is better, a 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 affords so they keep their old car? What makes the entire fleet safer?

Mr. BRADBURY. I think as you put your finger on it, you know, the average age of the automobile in the U.S. fleet is approaching 13 years. This is a serious national problem.

We have older and older—we have cars that are 25 and 30 years old on the road that have gone through four, 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 is a critical component of economic happiness and quality of life for Americans. We should want Americans to buy more new vehicles and that really should be a goal.

So that is why I say it has to be a balance.

Senator LUJÁN. Mr. Chairman, I am not asking for the cars to fly. I just do not want people to die. That is all that I am saying.

Senator MORENO. You are asking—

Senator LUJÁN. I think we can find common ground here.

Senator MORENO. We are asking them to be insanely expensive and unaffordable, and people will keep their cars.

I recognize Senator Peters.

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

Senator PETERS. Thank you, Mr. Chairman.

Mr. Bradbury, 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 well 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 full transparency and accountability so the public truly trust this technology and its capabilities of either—or if they do not have abilities to have—understand exactly what they are dealing with.

Tesla, unfortunately, has been probably the worst actor in this space. There is currently an open investigation into Tesla's, quote/unquote, "full self-drive" which it is not.

They market it as full self-drive technology and, indeed, there is a history of Tesla misleading consumers regarding what that technology is actually capable of doing and unfortunately that has led to deaths as a result of that.

So my question for you, sir, is given Elon Musk's close relationship with the President and his significant role digging into the operations of every agency through his so-called DOGE, are you fully committed and will you fully commit today to ensuring that the Department of Transportation holds Tesla accountable if you are confirmed?

Mr. BRADBURY. Yes, and I believe the Secretary was very firm in saying he would not treat any particular company favorably vis-à-vis other companies.

In other words, we would have a fair and objective approach and with particular regard to NHTSA's recall investigations on these important issues. And so I can make that commitment, yes.

Senator PETERS. OK, good. In our meeting you and I discussed the role of Congress in making the law versus the role of the Executive Branch 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 confirmed that that is how the system—and I do not want to misquote you but you said that is the way it should act is my understanding.

However, this administration does not 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 rail projects are certainly absolutely essential to Michigan and states across the country.

Legally awarded funding for these projects should not 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?

Mr. BRADBURY. Well, Senator, I think, first of all, as we know, a huge amount of additional spending and money has been announced and has been awarded in recent weeks and months, and I believe it is 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 is discretion for the Secretary and decisions can be made, and I think we need to audit all of those and take a hard look. And I do—I believe that is what is really happening and I think that is a fair process.

I think the American people expect that. We want to ensure that we are prudently and responsibly using the taxpayer dollars. That is 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 exercised and we just need to ensure that that is being exercised responsibly and we are 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, and I think it is fair for the President to put that forward to Congress.

Senator PETERS. Thank you, Mr. Chairman.

Senator MORENO. I recognize Senator Markey.

**STATEMENT OF HON. EDWARD MARKEY,
U.S. SENATOR FROM MASSACHUSETTS**

Senator MARKEY. Thank you so much.

And, Mr. Bradbury, I have been in Congress long enough to remember when the auto industry used to say it is not cost effective to put airbags in vehicles. Raises the cost of the automobile and did not want to do it, fought it. But hundreds of thousands of lives have been saved because of airbags.

What price do you put on that, all those lives that are saved? So I just raise that as a rhetorical question.

Mr. Bradbury, thank you for being here. Over 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. Bradbury, you worked at the Department of Transportation during the first Trump administration. Did you witness significant waste and excess during your tenure during the Trump years at the Department of Transportation?

Mr. BRADBURY. The Department of Transportation has an important, practical role and I think the career staff at DOT carries out that role 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 have—

Senator MARKEY. Well, no, that is not accurate. When you left there were 57,000 employees at the Department of Transportation and today as we sit here there are 57,000 employees at the Department of Transportation, and as you just observed you did not witness excess when you were there with those 57,000 workers and today the workforce is the same.

So, obviously, I am a little confused where—you know, where the excess might have been created if it is the same number of workers.

Mr. BRADBURY. Well, if I may—if I may, we can always get more efficient. Industry does that and there is always a need to take a look at where we can do more with less, where we can improve outcomes with greater—

Senator MARKEY. No, that is a different question. OK. That is a different question. OK. You could have made it a lot more efficient, if that is what you are saying during your time during the Trump administration, and I wish that you had.

But to then impose that on the 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 is 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 rooted out in the previous administration.

And for the sake of argument, let us 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 positions to cut without risking public safety would take a little time?

Mr. BRADBURY. Well, it is an important goal. It is 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.

Senator MARKEY. So it is fair to say it would take some time then, given the fact that there were four years during the first Trump administration to root it out it would take a little time right now to identify that excess?

In other words—

Mr. BRADBURY. It is—

Senator MARKEY.—just to contrast that approach with what these DOGE boys are doing inside of agencies right now they are doing just the opposite.

They are 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.

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

Senator MARKEY. And, again, I am not disagreeing that there could be a study but I do not 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 is where the problem sets in because brilliant people like yourself were not able to do it, and with all due respect to the DOGE boys I do not think that they have a superior knowledge of the internal workings of the Department—

Mr. BRADBURY. I am not a software engineer. I am not a brilliant tech person. But it does seem sensible to bring in some of those brilliant—

Senator MARKEY. And, again, I do not have any problem with bringing in new approaches but software is only the information you put into it. It is who writes the analytics.

OK. It has nothing to do with the zeros and ones. It 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 is just no way that the administration is conducting a careful review of the cuts and its impact on public safety, and there is no reason that DOGE, who is targeting probationary employees first, it is not because they are the most expendable or the worst performers.

It is because they are the easiest to fire and, really, that is what it is all about. But it can directly endanger American lives if it is

not done correctly, and that is 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 were happening within the Department so there is transparency so we can understand where the cuts are, so we can see where the safety risk may be. So otherwise it is just reckless endangerment that will be occurring.

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

Mr. BRADBURY. Thank you, Senator.

Senator MORENO. Senator Cantwell.

Senator CANTWELL. Thank you, Mr. Chairman.

Mr. Bradbury, 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?

Mr. BRADBURY. Well, certainly, he has business interests through SpaceX that FAA is involved in regulating and licensing and so I think it is important to be—to ensure and be diligent that conflicts are not involved in this process.

Senator CANTWELL. What would you think those conflicts look like? Tell me—

Mr. BRADBURY. Well, I do not know the—what the specifics would be.

Senator CANTWELL. Well, you know what the law says, right? You know what the law says?

Mr. BRADBURY. Yes, and I think the President has made it clear that—

Senator CANTWELL. The President exempted him illegally, I am sure, from the conflict of interest and now he has real conflict of interest, and so I am 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 is all sorts of issues right there. But now I am asking what do you think would be the bright lines that you would be concerned about?

Mr. 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 go through—

Senator CANTWELL. Do you think he should be an employee of that department if he has business before that department? I am pretty sure that does not exist anywhere.

Mr. BRADBURY. I am pretty sure that Elon Musk is not an employee of the Department, OK, 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—to onboard those temporary employees and in terms of what they are engaged in.

So I believe there is a conflicts check process that goes through——

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

Mr. BRADBURY. I do not——

Senator CANTWELL. Why would that not be good prudent business? Why would not that just be good prudent business?

Mr. BRADBURY. Well——

Senator CANTWELL. Given this issue of we just had this crazy, unfortunate, tragic situation where DOD and FAA were not 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 is already a challenged environment. So why would we—why would we not be concerned that somebody who has already taken a swing at the agency because they have commercial interests that they would not be influencing this whole safety regime which has been the center of our discussion this morning?

Mr. 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 is not——

Senator CANTWELL. OK. I think—here is what I—I heard that answer and I appreciate that to my colleagues. So I am not focusing on DOGE as much as I am focusing on where a true conflict of interest.

So why do you not take that for the record and decide where you think a conflict of interest is and where you think that line would be crossed, and that would be very helpful to know from you.

Mr. BRADBURY. Thank you.

Senator CANTWELL. Thank you.

The CHAIRMAN [presiding]. 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?

Mr. BRADBURY. Yes.

The CHAIRMAN. Thank you. I have 23 letters of support from various organizations for Mr. Bradbury's nomination to be Deputy Secretary of Transportation. I ask unanimous consent that they be inserted in the hearing record.

Without objection, so ordered.

[The information referred to follows:]



February 12, 2025

BY ELECTRONIC MAIL

The Honorable Ted Cruz (R-TX)
Chairman, Senate Commerce, Science and Transportation Committee
254 Russell Senate Office Building
Washington, DC 20510

The Honorable Maria Cantwell (D-WA)
Ranking Member, Senate Commerce, Science and Transportation Committee
254 Russell Senate Office Building
Washington, DC 20510

Re: Nomination of Steve Bradbury to be Deputy Secretary, U.S. Department of Transportation

Dear Chairman Cruz and Cantwell:

On behalf of the National Air Carrier Association (NACA)¹, I am writing to express our strong support of Steven G. Bradbury, President Trump's nominee to serve as Deputy Secretary of the U.S. Department of Transportation (DOT).

Mr. Bradbury, most recently a Distinguished Fellow at The Heritage Foundation, is highly qualified to become the next Deputy Secretary at DOT. He brings decades of legal and transportation policy experience from the public and private sectors. Mr. Bradbury was the Senate-confirmed general counsel at DOT from November 2017 until January 2021, **overseeing all of DOT's rulemaking and enforcement actions**. During his time at DOT, Mr. Bradbury also served as the Acting Deputy Secretary of Transportation and briefly as the Acting Secretary of Transportation.

During the Bush 43 Administration, Mr. Bradbury served as the Principal Deputy and Acting Assistant Attorney General for the Office of Legal Counsel at the U.S. Department of Justice (DOJ), where he advised the President and the White House on a wide range of constitutional and statutory questions. He began his distinguished legal career by clerking for Justice Clarence Thomas on the Supreme Court and for Judge James Buckley on the D.C. Circuit. Mr. Bradbury went on to become a litigation partner

¹ NACA member airlines include Air Transport International, Allegiant Air, AmeriJet, Atlas Air, Avelo Airlines, Everts Air Cargo, Frontier Airlines, GlobalX, Kalitta Air, Lynden Air Cargo, National Airlines, Northern Air Cargo, Omni Air International, Spirit Airlines, Sun Country Airlines, USA Jet Airlines, Western Global Airlines, and World Atlantic Airlines.



February 13, 2025

The Honorable Ted Cruz
Chair
Committee on Commerce, Science and
Transportation
United States Senate
512 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Commerce, Science and
Transportation
United States Senate
254 Russell Senate Building
Washington, DC 20510

Chair Cruz and Ranking Member Cantwell,

On behalf of the Association for Uncrewed Vehicle Systems International (AUVSI), I am writing to express our organization's support of Steven Bradbury as the next Deputy Secretary of the U.S. Department of Transportation (DOT). As you know, under President Trump's first term, Mr. Bradbury served in a variety of key roles at DOT, including Acting Deputy Secretary of Transportation, Acting Secretary of Transportation, and General Counsel (Senate confirmed). With his distinguished career in public service and his proven track record of leadership, I and our organization are confident that Mr. Bradbury is the ideal candidate to lead our nation's efforts to enhance infrastructure, modernize transportation systems, and ensure the safety and efficiency of our transportation networks.

AUVSI represents over four hundred corporations and 8,000 professionals across more than sixty countries in industry, government, and academia. We are eager to work with the Trump Administration, and specifically Mr. Bradbury, to strengthen U.S. leadership in commercial autonomy and related technology. It is critical that the United States aggressively develop the workforce and technology needed for future transportation, robotics, and advanced systems to remain globally competitive.

AUVSI's members span the defense, civil, and commercial sectors and multiple transportation domains, inclusive of hardware and software companies. Our member companies design, build, and operate uncrewed aircraft systems (UAS, or drones), maritime vessels (uncrewed surface vehicles (USVs)) and uncrewed underwater vehicles (UUVs)), ground platforms including automated vehicles and robots, as well as counter-UAS systems for detecting and mitigating drones. We also represent leaders in advanced air mobility (AAM), including manufacturers, aircraft autonomy providers, component suppliers, and infrastructure developers. We welcome the opportunity to work with Mr. Bradbury across all operational domains and educate him and his staff on the critical issues facing the uncrewed systems industry.

Mr. Bradbury is an exceptional candidate whose qualifications, experience, and leadership abilities would make him an invaluable asset to the Department and to the American people. Mr. Bradbury brings a wealth of expertise to the table, with a distinguished career in both the public and private sectors. His tenure as General Counsel of DOT and his work at the Department of Justice, coupled with his leadership at

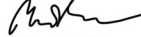
prominent law firms, demonstrates his deep understanding of regulatory frameworks, transportation policy, and the complex issues facing our nation's transportation infrastructure. His broad range of experience gives him a unique perspective that will be critical in navigating the challenges ahead for DOT.

In addition to his impressive professional background, Mr. Bradbury is known for his commitment to excellence, integrity, and public service. His work has always been characterized by a thorough and pragmatic approach to problem-solving, and he has consistently demonstrated an ability to bring diverse stakeholders together to find common-sense solutions. As we continue to modernize and improve our transportation systems, it is essential that we have leaders who not only understand the intricacies of policy but are also skilled in executing it effectively. Mr. Bradbury has proven time and time again that he is capable of doing just that, which is critically important during these challenging and unprecedented times.

I have no doubt that, if confirmed, Mr. Bradbury will serve as a dedicated and highly capable Deputy Secretary, helping to ensure the continued safety, efficiency, and innovation of our nation's transportation systems. I strongly urge you to support his confirmation and look forward to the positive impact his leadership will undoubtedly have on DOT and the American people.

We urge the Senate Commerce, Science, and Transportation Committee to confirm Mr. Bradbury expeditiously so he can start his important work on behalf of our members and the American people.

Sincerely,



Michael Robbins
President & CEO, AUVSI



4300 Wilson Blvd. | Suite 520 | Arlington, VA 22203
703-838-1960 | www.tanktruck.org

February 13, 2025

Chairman Ted Cruz
United States Senate Committee on
Commerce, Science, and Transportation
554 Dirksen Senate Building
Washington, DC, 20510

Ranking Member Maria Cantwell
United States Senate Committee on
Commerce, Science, and Transportation
254 Russell Senate Building
Washington, DC, 20510

Chairman Cruz and Ranking Member Cantwell:

The National Tank Carriers (NTTC) strongly supports the confirmation of Steve Bradbury as the next Deputy Secretary of Transportation. With an extensive background in transportation policy, legal affairs, and government leadership, Mr. Bradbury is exceptionally well-qualified for this role.

Mr. Bradbury's career includes serving as General Counsel at the U.S. Department of Transportation, where he provided legal guidance on complex transportation matters including regulatory enforcement, safety, and infrastructure development. In this role, he worked closely with key stakeholders across both the public and private sectors to ensure the effective implementation of transportation policies.

Bulk transportation plays a vital role in delivering essential goods including fuels, chemicals, and foods to communities throughout the country. Mr. Bradbury's proven ability to navigate complex policy challenges that enhance America's freight movement make him well qualified in his next role at the Department of Transportation. We are confident that his leadership will help foster an operational environment where the tank truck industry can continue to thrive while maintaining the highest standards of safety and excellence.

We urge Congress to prioritize this confirmation of Mr. Bradbury as the Deputy Secretary of Transportation without delay. NTTC stands ready to collaborate with Mr. Bradbury and the Department of Transportation to advance policies that enhance surface transportation safety, efficiency, and sustainability.

Regards,

Ryan Streblow
President & CEO

To champion safety and success in the tank truck community through advocacy and education.



Nicholas E. Calio
President and CEO

February 13, 2025

The Honorable Ted Cruz
Chairman, Senate Commerce, Science and Transportation
Committee
254 Russell Senate Office Building
Washington DC 20510

The Honorable Maria Cantwell
Ranking Member, Senate Commerce, Science and
Transportation Committee
254 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Cruz and Ranking Member Cantwell:

Airlines for America (A4A), representing the leading U.S. passenger and cargo airlines that promote crucial policies and measures to improve the safety and security of air travel, strongly supports the nomination of Steven Bradbury to be Deputy Secretary of the Department of Transportation (DOT).

Mr. Bradbury is uniquely qualified to become the next Deputy Secretary at DOT. He previously served as the General Counsel at the DOT and as the chief legal officer, where he skillfully led DOT's rulemaking, guidance and enforcement matters with a staunch and appropriate adherence to facts, data, statute and Congressional intent that play such an important role in the integrity of not only DOT but any institution. In his prior tenure at DOT, he also served as the Acting Deputy Secretary of Transportation and then Acting Secretary of Transportation for a brief time, demonstrating his value as an asset to the Department. In addition to his public service, Mr. Bradbury has had a distinguished career in the private sector as a litigation partner for two prestigious law firms where he focused on regulatory enforcement and investigations, rulemaking, appellate cases and antitrust issues.

As we all continue to grieve and learn from the recent aviation accident, it reminds us of what is at stake. Every day, U.S. airlines operate more than 27,000 flights, safely transporting 2.7 million passengers and 61,000 tons of cargo. U.S. passenger and cargo airlines directly employ more than one million workers, and commercial aviation drives five percent of U.S. Gross Domestic Product (GDP).

February 13, 2025
Page 2

While our deregulated commercial aviation system has provided enormous benefits to the flying and shipping public through safe and affordable service, the system faces challenges that have not been addressed due to micromanagement of airline operations and a lack of focus on critical staffing and infrastructure challenges.

Commercial air travel in the U.S. remains the safest mode of transportation in the world, but keeping it that way requires desperately needed government support and investment in both human and technology infrastructure.

We applaud Mr. Bradbury's nomination and believe his combined leadership, together with Secretary Duffy's, will bring a well-rounded and experienced team to the crucial issues that need to be addressed in our aviation system.

A4A urges the Senate to expeditiously confirm his nomination.

Sincerely,

A handwritten signature in cursive script that reads "Nick".

Nicholas E. Calio



Flix North America Inc.
P.O. Box 660362
Dallas, TX 75266

February 13, 2025

The Honorable Ted Cruz, Chairman
Committee on Commerce, Science & Transportation
United States Senate
Washington, DC 20510

Dear Chairman Cruz:

On behalf of Texas-based Flix North America Inc., parent company of FlixBus Inc. and Greyhound Lines, Inc., I write to you in strong support of the nomination of Steven G. Bradbury to the position of Deputy Secretary of Transportation. Mr. Bradbury, who distinguished himself as U.S. Department of Transportation (USDOT) General Counsel during the first Trump Administration, has long been an advocate for the success of private transportation providers like us. Greyhound representatives had the pleasure of meeting with Mr. Bradbury during his first tenure at USDOT and were thoroughly impressed by his dedication to fostering a thriving transport sector.

We are confident Mr. Bradbury will prove an invaluable addition to the Department's success as it seeks to support public-private transportation partnerships that steward taxpayers' dollars wisely. Under Secretary Duffy's leadership, we trust Mr. Bradbury will help USDOT maintain the highest standards of safety across our multimodal national transportation network while implementing the common-sense regulatory reforms necessary to ensure all Americans can access efficient, affordable, and reliable interstate transportation. Additionally, with his extensive experience and deep understanding of USDOT's legal and operational functions, Mr. Bradbury will provide valuable policy recommendations and technical expertise to the Committee as it works to reauthorize the transportation bill later this Congress.

For these reasons, we ask that the Committee move expeditiously on Mr. Bradbury's nomination and that the Senate confirm him as Deputy Secretary of Transportation.

Sincerely,

Kadir "Kai" Boysan, Chief Executive Officer
Flix North America Inc.



Women In Trucking's mission is to encourage the employment of women in the trucking industry, promote their accomplishments, and minimize obstacles faced by women working in the trucking industry.

February 13, 2025

The Honorable Ted Cruz
Chairman
United States Senate Committee on Commerce, Science, and Transportation
554 Dirksen Senate Building
Washington, DC, 20510

The Honorable Maria Cantwell
Ranking Member
United States Senate Committee on Commerce, Science, and Transportation
254 Russell Senate Building
Washington, DC, 20510

Chairman Cruz and Ranking Member Cantwell:

This letter is to encourage your support for Steven Bradbury as Deputy Secretary of Transportation. During President Trump's first term, Mr. Bradbury proved his commitment to a more efficient and safe transportation system during his tenure as General Counsel for the US Department of Transportation.

Mr. Bradbury's experience as acting Secretary of Transportation after the resignation of Elaine Chao in 2021 would allow him to more readily assimilate into the role of Deputy Secretary.

The trucking industry needs leaders who understand the challenges from undue costs of increased regulations and mandates. Please accept my support for your approval of Mr. Steven Bradbury as Deputy Secretary of Transportation at your upcoming hearing.

Respectfully,

A handwritten signature in dark ink, appearing to read 'E. Voie', with a stylized flourish at the end.

Ellen Voie, CAE
Founder, Women In Trucking Association, Inc.
2351 Commercial Drive, Waupaca, WI 54981



80 M St. SE, Ste. 800, Washington, DC 20003 * www.trucking.org

February 14, 2025

The Honorable Ted Cruz
Chairman
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

Dear Chairman Cruz and Ranking Member Cantwell:

On behalf of the American Trucking Associations (ATA) and the 8.5 million hardworking men and women employed in the trucking industry in every state and congressional district, I write to offer ATA's full support for the nomination of Steven Bradbury to be Deputy Secretary of the U.S. Department of Transportation (DOT).

Mr. Bradbury's previous experience at DOT during President Trump's first term in office makes him uniquely qualified for this important role. His familiarity with the inner workings of the agency ensures that he will be completely prepared to hit the ground running upon his confirmation, and Secretary Duffy will have the confidence to lean on his insights and expertise as they work to address pressing transportation challenges.

In addition to Mr. Bradbury's government service, he also possesses an extensive record as a litigator, which would be an invaluable asset on issues related to regulatory enforcement. This is of particular concern to the trucking industry, as we seek commonsense rulemakings that enhance our ability to safely and efficiently deliver the nation's freight. Based on Mr. Bradbury's record, we believe that he would undoubtedly facilitate a trustworthy partnership between Congress, DOT, and the commercial motor vehicle industry.

By solidifying the top leadership posts at DOT, the Senate Commerce Committee can put a competent and highly effective team in place to advance the agency's mission to maintain and modernize our transportation system. ATA believes Mr. Bradbury would make a superb Deputy Secretary, and we urge members of the Committee to swiftly report his nomination favorably to the full Senate for consideration.

Sincerely,

Chris Spear,
President & CEO
American Trucking Associations

cc: Members of the Senate Committee on Commerce, Science and Transportation



801 North Quincy Street
Suite 500
Arlington, VA 22203

PHONE: 703.841.9300
EMAIL: jcarpenter@americanwaterways.com

Jennifer A. Carpenter
President & CEO

February 14, 2025

Senator Ted Cruz
Chairman
U.S. Senate Committee on Commerce,
Science, and Transportation
254 Russell Senate Building
Washington, DC 20510

Senator Maria Cantwell
Ranking Member
U.S. Senate Committee on Commerce,
Science, and Transportation
254 Russell Senate Building
Washington, DC 20510

Dear Chairman Cruz and Ranking Member Cantwell:

The American Waterways Operators (AWO) is the national trade association for the tugboat, towboat and barge industry, the largest segment of the domestic maritime industry. Our members are critical to maintaining America's supply chain, work as a homeland security partner with the U.S. Coast Guard, and offer the safest, most energy efficient, and most environmentally friendly form of commercial transportation to shippers across the nation. We applaud the nomination of Steve Bradbury as Deputy Secretary of Department of Transportation because of his outstanding record of support for maritime commerce during the first Trump Administration. AWO looks forward to working with Mr. Bradbury on enhancing the economic value of the towing industry to America's supply chain.

Sincerely,

Jennifer A. Carpenter
President & CEO
The American Waterways Operators



February 14, 2025

The Honorable Ted Cruz
Chairman
U.S. Senate Committee on Commerce, Science, and Transportation
554 Dirksen Senate Building
Washington, DC, 20510

The Honorable Maria Cantwell
Ranking Member
U.S. Senate Committee on Commerce, Science, and Transportation
254 Russell Senate Building
Washington, DC, 20510

Dear Chairman Cruz and Ranking Member Cantwell:

The National Association of Small Trucking Companies (NASTC) strongly supports the confirmation of Steve Bradbury as Deputy Secretary of Transportation. With his extensive experience in transportation policy, regulatory oversight, and infrastructure development, Mr. Bradbury is well-equipped to address the challenges facing the trucking industry—especially small, independent carriers that are the backbone of America's supply chain.

As General Counsel and Acting Deputy Secretary at the U.S. Department of Transportation, Mr. Bradbury played a key role in shaping policies that impact freight movement, safety regulations, and infrastructure investment. His commitment to balancing regulatory oversight with operational efficiency is essential for ensuring that small trucking companies can continue to thrive while maintaining the highest safety standards.

Small carriers make up the majority of the trucking industry and are critical to keeping America's goods moving. However, they often face disproportionate challenges related to regulatory compliance, rising costs, and infrastructure limitations. Mr. Bradbury's leadership and expertise will be invaluable in fostering a fair and efficient regulatory environment that allows small trucking businesses to compete, grow, and deliver essential goods across the country.

We urge the Senate to prioritize Mr. Bradbury's confirmation as Deputy Secretary of Transportation without delay. NASTC looks forward to working with him and the Department of Transportation to advance policies that promote highway safety, regulatory fairness, and economic opportunity for small trucking businesses.

Sincerely,

David Owen
President



National Association of County Engineers

THE VOICE OF COUNTY ROAD OFFICIALS

February 14, 2025

President
Stephen McCall, PE, PS
County Engineer
Champaign County, Ohio

President-Elect
Jacob Thorius, PE
County Engineer
Washington County, Iowa

Secretary/Treasurer
Pamela Dingman PE
County Engineer
Lancaster County, NE

Immediate Past President
Jeff Blue, PE
County Engineer
Champaign County, Illinois

Northeast Region Vice President
Jeff Linkous, PE, PS
County Engineer
Clifton County, Ohio

Southeast Region Vice President
Josh Harvill, PE
County Engineer
Chambers County, Alabama

North Central Region Vice President
Wayne Sandberg, PE
County Engineer
Washington County, MN

South Central Region Vice President
Andrew McGuire, PE
County Engineer
Keokuk County, IA

Western Region Vice President
Matt Machado, PE, LS
Deputy County Administrative Officer/Public Works Director
Santa Cruz County, CA

National Association of Counties Director
Rich Sanders, PE
County Engineer
Polk County, Minnesota

CEO/Executive Director
Kevan P. Stone

The Honorable Ted Cruz
Chairman
United States Senate Committee on Commerce, Science, and Transportation
554 Dirksen Senate Building
Washington, DC, 20510

The Honorable Maria Cantwell
Ranking Member
United States Senate Committee on Commerce, Science, and Transportation
254 Russell Senate Building
Washington, DC, 20510

Dear Chairman Cruz and Ranking Member Cantwell:

The National Association of County Engineers (NACE) strongly supports the confirmation of Steve Bradbury as the next Deputy Secretary of Transportation. With an extensive background in transportation policy, legal affairs, and infrastructure development, Mr. Bradbury is exceptionally well-qualified to support the nation's transportation network and the critical needs of local and county road systems.

Throughout his career, including his tenure as General Counsel and Acting Deputy Secretary at the U.S. Department of Transportation, Mr. Bradbury has demonstrated a deep understanding of transportation challenges, regulatory frameworks, and safety initiatives. His ability to engage collaboratively with stakeholders across all subdivisions of government has been instrumental in advancing effective transportation policies.

Counties own and maintain nearly 44% of the nation's roadways and 39% of the nation's bridges—more than any other division of government. Ensuring the safety, reliability, and resilience of this infrastructure is essential for economic growth, public safety, and the efficient movement of goods and people. Mr. Bradbury's expertise in regulatory reform, project delivery, and transportation safety will be invaluable in addressing the pressing infrastructure needs of counties nationwide.

We urge Congress to swiftly confirm Mr. Bradbury as Deputy Secretary of Transportation to ensure continued leadership and progress in strengthening our nation's transportation systems. NACE looks forward to working with Mr. Bradbury and the Department of Transportation to enhance infrastructure investment, streamline project delivery, and promote safe and efficient local road networks.

Sincerely,

Kevan P. Stone
Executive Director & CEO

NATIONAL PRIVATE TRUCK COUNCIL

GARY F. PETTY
PRESIDENT AND
CHIEF EXECUTIVE OFFICER

2300 WILSON BLVD., STE. 700
ARLINGTON, VA 22201
(703)838-8876 | GPETTY@NPTC.ORG

February 18, 2025

The Honorable Ted Cruz
Chairman
United States Senate Committee on Commerce, Science, and Transportation
554 Dirksen Senate Building
Washington, DC, 20510

The Honorable Maria Cantwell
Ranking Member
United States Senate Committee on Commerce, Science, and Transportation
254 Russell Senate Building
Washington, DC, 20510

Dear Senators:

This letter is to register the support of the National Private Truck Council ("NPTC") for the confirmation of Steven Bradbury to be Deputy Secretary of Transportation. Mr. Bradbury has proven capabilities and experience within DOT and deserves another opportunity to serve the Department in a senior leadership role.

NPTC is a national trade association representing the interests of several hundred companies that operate truck fleets in furtherance of a non-transportation primary business. NPTC members include both Fortune 500 companies and small local distribution companies. Our members are heavily represented in the food, retail, chemical and manufacturing industries, but encompass a broad cross-section of American business interests.

NPTC members provide both long-haul trucking and local distribution service, depending on the type of industry and its distribution requirements. They operate both tractor-trailers and a variety of straight trucks to transport raw materials and finished products in inbound and outbound traffic.

Our member companies are all subject to the Federal Motor Carrier Safety Regulations and many of them are also subject to the Hazardous Materials Regulations. As such, they are regularly engaged with personnel from DOT on policy and procedural issues affecting their operations.

Mr. Bradbury has a stellar legal education and career in both the public and private sectors. He previously served as General Counsel at DOT in the first Administration of President Trump and is well-versed in the issues and concerns facing the Department and the regulated community. His counsel and legal advice helped guide DOT during this time, and he even stepped in to briefly serve as acting Secretary when Elaine Chao stepped down at the end of the term.

Given his background, his record of public service, and his experience and expertise in transportation issues, NPTC wholeheartedly endorses the confirmation of Mr. Bradbury as Deputy Secretary of Transportation.

Respectfully submitted,



Gary F. Petty
President and CEO
National Private Truck Council



Chris Burroughs
President & CEO
Transportation Intermediaries Association (TIA)
1900 Duke Street, Suite 300
Alexandria, VA 22314

February 18, 2025

The Honorable Ted Cruz
Chairman
United States Senate Committee on Commerce, Science, and Transportation
554 Dirksen Senate Building
Washington, DC, 20510

The Honorable Maria Cantwell
Ranking Member
United States Senate Committee on Commerce, Science, and Transportation
254 Russell Senate Building
Washington, DC, 20510

Subject: TIA Support for the Nomination of Steven G. Bradbury as Deputy Secretary of Transportation

Dear Chairman Cruz and Ranking Member Cantwell,

The Transportation Intermediaries Association (TIA) strongly supports the nomination of Steven G. Bradbury as Deputy Secretary of Transportation. Currently a Distinguished Fellow at the Heritage Foundation, Mr. Bradbury has an accomplished record of public service. He previously served as Principal Deputy and Acting Assistant Attorney General for the Office of Legal Counsel at the U.S Department of Justice in the Administration of President George W. Bush and as Senate-confirmed General Counsel of the Department of Transportation (DOT) in the first Trump Administration; briefly serving as Acting Deputy Secretary and Acting Secretary of Transportation.

We look forward to working with Congress and U.S. DOT to address some of the biggest challenges facing the logistics industry, including combating fraud, promoting free market competition, and modernizing FMCSA's safety fitness determination.

Protecting Consumers and Ensuring Market Competition

TIA opposes the Federal Motor Carrier Safety Administration's (FMCSA) proposed rule, *Transparency in Property Broker Transactions*, introduced in the final weeks of the Biden Administration. The proposed rule imposes unnecessary burdens on freight brokers by mandating the disclosure of sensitive trade secrets and contract negotiations. This would harm competition, reduce market efficiency, and increase consumer costs. By mandating automatic disclosure of trade secrets and confidential contract negotiations, the rule sets a harmful precedent for government overreach and threatens market competition while generating no demonstrable benefit to the supply chain and harming consumers.

Combating Supply Chain Theft and Strategic Fraud

Since the onset of the COVID-19 pandemic, an estimated billion dollars' worth of consumer goods are stolen in the 3PL industry annually, causing widespread supply chain disruptions and increased consumer costs. TIA advocates for restoring FMCSA's authority to assess civil penalties against businesses engaged in fraudulent activities and the creation of a multi-agency task force to coordinate law enforcement efforts. Empowering law enforcement is crucial to safeguarding the integrity of the supply chain, protecting the interests of American businesses and protecting consumers.

Modernization of the Safety Fitness Determination (SFD)

Transitioning from the current three-tiered safety rating system to a simplified "fit" or "unfit" system will provide greater clarity and enhance safety by evaluating carriers more objectively and effectively using already available technology. TIA believes this modernization effort will reduce confusion and legal liability for third-party logistics providers, prompting a safer and more transparent industry.

For 46 years, TIA has been the leading advocate for ethical and professional excellence in logistics. Representing 2,000 member companies in the \$343 billion third-party logistics (3PL) industry, TIA looks forward to working with the 119th Congress and the Trump Administration to advance policies that foster a competitive, efficient, and adaptable supply chain.

Respectfully,



Chris Burroughs
President & CEO
Transportation Intermediaries Association (TIA)



February 19, 2025

The Honorable Ted Cruz
Chairman
Committee on Commerce, Science, and Transportation
United States Senate
254 Russell Senate Building
Washington DC, 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
254 Russell Senate Building
Washington DC, 20510

Dear Chairman Cruz and Ranking Member Cantwell,

The Autonomous Vehicle Industry Association ("AVIA") writes to encourage the Committee on Commerce, Science, and Transportation to move forward expeditiously with Steven Bradbury's nomination as Deputy Secretary of the Department of Transportation ("USDOT"). Having Senate-confirmed leadership in place will allow the USDOT to better carry out its vital role supporting our national transportation system, including actions to support the safe deployment of autonomous vehicle ("AV") technologies.

AVIA is committed to bringing the safety, mobility, supply chain and economic benefits of AVs—otherwise known as SAE Levels 4- and 5-capable vehicles¹—to consumers in a safe, responsible, and expeditious manner. AVIA's membership is comprised of the world's leading technology, automotive, ridesharing, trucking, and transportation companies that are developing technology to move our country into the future.² Vehicles operated by AVIA members have driven more than 70 million autonomous miles on U.S. public roads, a distance roughly equivalent to 293 round trips to the Moon or driving across Route 66 over 29,000 times.³ AVs will play a pivotal role in addressing critical challenges facing our nation, including reducing the persistent and unacceptable level of traffic fatalities in our country, increasing access to transportation, enhancing supply chain efficiency, and expanding economic output.

¹ See SAE INTERNATIONAL, TAXONOMY AND DEFINITIONS FOR TERMS RELATED TO DRIVING AUTOMATION SYSTEMS FOR ON-ROAD MOTOR VEHICLES, J2016_202104 (2021).

² Our members include Aurora, Bof Auto, Cavnue, Cruise, Discount Tire, FedEx, Ford, Gatik, International Motors, Inc., J.D. Power, Kodiak, Lyft, Motional, Nuro, Stack, Tier IV, Torc Robotics, Uber, UPS, Volkswagen Group of America, Volvo Cars, Volvo Autonomous Solutions, Waabi, Waymo, and Zoox. See *Our Mission and Members*, AUTONOMOUS VEHICLE INDUS. ASS'N, <https://theavindustry.org/>.

³ *Autonomous Vehicle Industry Association Releases First-Ever "State of AV" Report*, AUTONOMOUS VEHICLE INDUS. ASS'N (Apr. 10, 2024), <https://theavindustry.org/newsroom/press-releases/first-ever-state-of-av-report>.



In partnership with Congress, the Trump Administration has the opportunity to promote the continued development and deployment of AVs in the United States. Seizing this opportunity will help revive our industrial capacity, create new manufacturing jobs, reduce supply chain costs, and ensure that the United States retains its international leadership and competitive advantage as this critical technology continues to grow and evolve.

In the last several years, U.S. states have raced ahead on AV policy, and today 25 U.S. states covering 56 percent of our population have AV deployment statutes. State-level interest in this game-changing technology is welcome, but it is no substitute for federal leadership as only the USDOT can regulate the design, construction, and performance of motor vehicles. Therefore, to fully realize the benefits offered by AVs, a supportive and uniform nationwide federal policy framework is essential. With this in mind, just last month, AVIA released *Securing American Leadership in Autonomous Vehicles*,⁴ a comprehensive set of federal policy recommendations that would accelerate the safe and timely deployment of autonomous technology and solidify the U.S. as the global leader in this transformational field.

By expeditiously moving forward with the nomination process for Mr. Bradbury and other USDOT nominees, the Committee will help ensure that the USDOT is well positioned to develop and implement policies that will unlock the full potential of AVs, ensuring that the United States remains the world leader in autonomous vehicle technology. The AV industry looks forward to working closely with Deputy Secretary Bradbury and the team at the USDOT.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Farrah', is positioned above the printed name.

Jeff Farrah
Chief Executive Officer
Autonomous Vehicle Industry Association

CC: Steven Bradbury, Nominee, Deputy Secretary of Transportation

⁴ AUTONOMOUS VEHICLE INDUS. ASS'N, *SECURING AMERICAN LEADERSHIP IN AUTONOMOUS VEHICLES* (2025), <https://theavindustry.org/resources/Securing%20American%20Leadership%20in%20Autonomous%20Vehicles1.pdf>



February 19, 2025

The Honorable Ted Cruz
Chairman
U.S. Senate Committee on Commerce,
Science, and Transportation
554 Dirksen Senate Office Building
Washington D.C. 20510

The Honorable Maria Cantwell
Ranking Member
U.S. Senate Committee on Commerce,
Science, and Transportation
254 Russell Senate Office Building
Washington D.C. 20510

Dear Chairman Cruz and Ranking Member Cantwell:

On behalf of Alliance for Automotive Innovation, I write to urge the United States Senate to confirm Steven Bradbury, President Trump's nominee for Deputy Secretary of the United States Department of Transportation.

Alliance for Automotive Innovation represents the auto manufacturers producing nearly all vehicles sold today in the U.S., as well as major equipment suppliers, battery manufacturers, semiconductor makers, and autonomous vehicle and technology corporations.

Automaking is America's largest manufacturing sector and underpins our industrial base. The sector employs 10 million Americans in all 50 states. We build 10.3 million vehicles annually – here at home – and export 1.5 million. The industry generates five percent of U.S. GDP and drives \$1.2 trillion into the economy annually.

Mr. Bradbury has extensive experience at the Transportation Department. He was confirmed by the Senate in 2017 to serve as the department's General Counsel where he worked with the industry on a range of automotive policy and regulatory matters, including: fuel economy standards, auto safety and highway infrastructure.

Mr. Bradbury supports a predictable and reasonable regulatory environment to ensure U.S. emissions rules are balanced and reflect market realities. He has also shown a commitment to reforming regulations to advance American leadership in next-generation automotive safety technologies.

The Transportation Department needs leadership committed to keeping the U.S. auto industry healthy and competitive – and in a position to guarantee the country's economic and national security.

I'm confident these will be priorities during Mr. Bradbury's tenure at the Transportation Department.

Thank you for your support of this nomination.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bozzella". The signature is fluid and cursive, with the first name "John" and last name "Bozzella" clearly distinguishable.

John Bozzella
President and CEO
Alliance for Automotive Innovation



February 19, 2025

The Honorable Ted Cruz
Chairman, Senate Commerce, Science, and Transportation Committee
245 Russell Senate Office Building
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member, Senate Commerce, Science, and Transportation Committee
245 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Cruz and Ranking Member Cantwell:

I am writing on behalf of Atlas Air to express our strong support of Steven G. Bradbury, President Trump's nominee to serve as Deputy Secretary of the U.S. Department of Transportation (DOT). Mr. Bradbury is highly qualified to become the next Deputy Secretary of DOT. He brings decades of legal and transportation policy experience from the public and private sectors and has a proven track record of tackling tough issues.

Mr. Bradbury has the skills and experience needed to help oversee and improve the world's safest transportation system. This includes making the technology and human capital investments necessary to address challenges related to the aging air traffic management system and reversing critical staffing shortages. In short, Atlas applauds Mr. Bradbury's nomination and knows that through his steady and deft leadership, progress will be made on challenges that face the aviation system.

Atlas urges the Senate to expeditiously confirm Mr. Bradbury's nomination.

Sincerely,

A handwritten signature in dark ink, appearing to read "Camille", written over a horizontal line.

Camille Fleenor
Vice President, Government Relations and Policy

MOLLY A. WILKINSON
Vice President
Regulatory and International Affairs

American Airlines 

February 19, 2025

The Honorable Ted Cruz
Chairman, Senate Commerce Committee
United States Senate

VIA EMAIL

Dear Chairman Cruz,

American Airlines is pleased to support Steven G. Bradbury for his nomination as Deputy Secretary of Transportation. **Mr. Bradbury's** background in the public and private sectors make him a highly qualified nominee who will be ready to serve President Trump, Secretary Duffy, and the American public immediately.

Mr. Bradbury's professional achievements demonstrate his capabilities and capacity to succeed in the Deputy Secretary role. As DOT General Counsel in the first Trump Administration, Mr. Bradbury **oversaw** DOT's rulemaking and enforcement actions. He championed critical issues related to transportation safety, infrastructure development, and regulatory reform. In prior public service roles, Mr. Bradbury served at the Department of Justice and as a law clerk at the Supreme Court of the United States. In the private sector, Mr. Bradbury has worked at prominent law firms and think tanks associated with transportation and safety policy.

In light of the heartbreaking tragedy of Flight 5342 and other recent aviation incidents, it is more important than ever to have thoughtful, competent, and experienced leadership at the Department of Transportation. President Trump and Secretary Duffy have committed to focus **the Department's priorities to aviation safety** and upgrades to air traffic control staffing and technology. There is no doubt that Mr. Bradbury is the right **person to join the Department's leadership team as he will be an effective champion** for establishing an era of safety culture and technological innovation.

The American Airlines team looks forward to Mr. Bradbury's Senate confirmation process and his contributions at the Department of Transportation.

Sincerely,



Molly A. Wilkinson
Vice President
Regulatory and International Affairs

CC: The Honorable Maria Cantwell, Ranking Member, Senate Commerce Committee





Garrett T. Eucalitto, *President*
 Commissioner, Connecticut Department of Transportation
 Jim Tymon, *Executive Director*

February 19, 2025

The Honorable Ted Cruz
 Chair
 Committee on Commerce, Science, and
 Transportation
 United States Senate
 Dirksen Senate Office Building 554
 Washington, DC, 20510

The Honorable Maria Cantwell
 Ranking Member
 Committee on Commerce, Science, and
 Transportation
 United States Senate
 Russell Senate Office Building 254
 Washington, DC, 20510

Dear Chair Cruz and Ranking Member Cantwell:

We at the American Association of State Highway and Transportation Officials (AASHTO) write to express our support for Steven G. Bradbury, nominated by President Trump to serve as **the nation's next** Deputy Secretary of Transportation. Having previously served as Acting Deputy Secretary and General Counsel of the US Department of Transportation (USDOT), we believe Deputy Secretary-designate Bradbury brings uniquely qualified leadership experience and understanding of USDOT to help deliver the safety, mobility, and innovation goals outlined by Secretary Sean Duffy.

The federal-state partnership established under the Federal Aid Road Act of 1916—including stable and predictable formula-based funding—remains foundational in advancing shared federal and state priorities. We look forward to working with the entire USDOT leadership upon Senate confirmation to further unleash the economic and quality of life benefits of critical transportation investments being made each day by **our nation's** state DOTs.

Thank you for your stalwart leadership in providing Congressional oversight of the USDOT, and we stand ready to further assist in the important work of your Committee.

Sincerely,

Jim Tymon
 Executive Director

Christa Lucas
Vice President
Governmental Affairs
Southwest Airlines Co.
1201 Pennsylvania Ave NW, Suite 550
Washington, DC 20005



February 19, 2025

The Honorable Ted Cruz
Chairman
Committee on Commerce, Science, &
Transportation
United States Senate
254 Russell Senate Office Building
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Commerce, Science, &
Transportation
United States Senate
511 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Cruz and Ranking Member Cantwell:

On behalf of Southwest Airlines, I write in strong support of Steven Bradbury's nomination as Deputy Secretary of Transportation and respectfully urge your committee and the entire United States Senate to confirm this highly qualified transportation leader without delay.

The Department of Transportation (DOT) and the aviation industry will benefit greatly from having a very experienced and highly capable second-in-command at the Department. Mr. Bradbury not only meets but exceeds such qualifications as his prior service at DOT was commendable and his approach to transportation issues is principled and effective.

The issues facing transportation today, particularly aviation, require strong and steady leadership at DOT. This includes overseeing the long overdue modernization of the Air Traffic Control system, while continuously improving the margins of safety, reliability, and innovation within the aviation industry.

Thank you for your consideration of Southwest's thoughts in this important matter.

Sincerely,

Christa Lucas

Copy to: Member of the Senate Committee on Commerce, Science & Transportation



Thomas L. Brown, President
 Todd Roberts, Senior Vice President
 Rick Andritsch, Vice President
 Ken Kubacki, Treasurer
 Jeffrey D. Shoaf, Chief Executive Officer
 James V. Christianson, Chief Operating Officer

February 19, 2025

The Honorable Ted Cruz
 Chairman, Commerce, Science, &
 Transportation Committee
 United States Senate
 Washington, D.C. 20510

The Honorable Maria Cantwell
 Ranking Member, Commerce, Science, &
 Transportation Committee
 United States Senate
 Washington, D.C. 20510

RE: AGC Support for Mr. Steven Bradbury's Nomination to be Deputy Secretary of the Department of Transportation

Dear Chairman Cruz and Ranking Member Cantwell:

The Associated General Contractors of America (AGC) supports the nomination of Steven Bradbury to serve as the Deputy Secretary of the U.S. Department of Transportation (DOT). AGC is a national construction trade association representing more than 28,000 construction firms with chapters and members in every state, the District of Columbia and Puerto Rico. AGC chapters and members work on transportation projects nationwide – including roads, bridges, airports, passenger rail, freight rail, and transit systems – and understand the importance of investing in **our nation's** infrastructure.

With his extensive background in public service and expertise in transportation policy, Mr. Bradbury is well-qualified to help the DOT in advancing safe and efficient transportation systems across the country. During his tenure as the **DOT's General Counsel and Acting Deputy Secretary, he played a** pivotal role in advancing major transportation infrastructure initiatives, including efforts to streamline regulatory processes, improve project delivery timelines, and enhance safety measures for both highway and transit projects. His leadership was instrumental in implementing reforms to the National Environmental Policy Act (NEPA) to accelerate the construction of critical infrastructure projects, as well as in overseeing the development of automated vehicle policies to support innovation in transportation.

AGC looks forward to continuing our positive relationship with U.S. DOT to **rebuild our nation's** infrastructure and support well-paying construction jobs. As such, we urge the Senate to quickly confirm his nomination.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeffrey D. Shoaf".

Jeffrey D. Shoaf
 Chief Executive Officer

CC: All members of the U.S. Senate Committee on Commerce, Science, & Transportation



February 19, 2025

Chairman Ted Cruz
U.S. Senate Committee on Commerce, Science, and Transportation
554 Dirksen Senate Office Building
Washington, DC, 20510

Ranking Member Maria Cantwell
U.S. Senate Committee on Commerce, Science, and Transportation
254 Russell Senate Building Dirksen Senate Office Building
Washington, DC, 20510

Dear Chairman Cruz and Ranking Member Cantwell:

On behalf of the Commercial Space Federation (CSF), the leading trade association for the commercial space industry, I am writing to convey CSF's support for the confirmation of Mr. Steven Bradbury to be the Deputy Secretary of the U.S. Department of Transportation (DOT).

Mr. Bradbury is a distinguished public servant who is exceptionally qualified to serve as the Deputy Secretary of Transportation. As DOT General Counsel, he played a pivotal role in implementing Space Policy Directive-2 (SPD-2) focusing on streamlining commercial space regulations. His deep understanding of commercial space licensing processes will be critical to lessening the regulatory burden on commercial operators, expediting the timelines for licensing determinations, and providing appropriate support to the Federal Aviation Administration Office of Commercial Space Transportation (FAA-AST). CSF looks forward to working with Mr. Bradbury to ensure that the United States remains the global leader in commercial space.

Thank you for your consideration of this letter in support of Steven Bradbury's confirmation as the Deputy Secretary of Transportation. Please contact me by email at dave@commercialspace.org or by telephone at (703) 380-0589 as needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Cavossa".

Dave Cavossa
President
Commercial Space Federation

1444 I Street, NW, #410, Washington, DC 20005

www.commercialspace.org



February 19, 2025

The Honorable Ted Cruz, Chair
 The Honorable Maria Cantwell, Ranking Member
 Committee on Commerce, Science and Transportation
 U.S. Senate
 Washington, D.C. 20510

Dear Chairman Cruz and Ranking Member Cantwell:

On behalf of the Regional Airline Association (RAA), which represents 14 U.S. regional airline members and promotes a safe, reliable, and strong regional airline industry, I am writing to convey our support for Stephen G. Bradbury for U.S. Deputy Secretary of Transportation. Our members employ more than 71,000 people and safely connected more than 121 million air travelers from nearly every U.S. airport last year.

As you know, regional airlines provide the only source of scheduled passenger air service for approximately two-thirds of the country. Because many communities are too small for direct air service by mainline air carriers, a healthy regional airline industry is foundational to the economic health of our nation's rural communities and smaller downtowns. While regional airlines operate in 94 percent of the nation's airports, non-regional airlines directly serve just 37 percent of the nation's airports. No other industry sector operates to as many airports as ours and in as many classes of airspace. We have every confidence Mr. Bradbury will work with us to protect safe and reliable service to small communities; a priority we share with this Committee. We also believe he will work with Congress on issues of critical importance to a healthy and thriving aviation sector, like growing the pilot, technician, and controller workforce; modernizing our air traffic control systems and technologies, and above all else ensuring that the United States continues to be the gold standard in aviation safety.

Today, our nation is reeling after recent accidents, and the entire aviation community is laser focused on upholding the highest level of safety. While flying remains the safest mode of transportation, aviation will not rest until we understand and address risk in the system to ensure such events never recur. This requires constant, candid cooperation between Congress, the DOT and the FAA, and industry and its frontline workers. We believe Mr. Bradbury's prior experience as the Department's General Counsel, Acting Deputy Secretary, and Acting Secretary of Transportation will position him well to strongly support that process.

Sincerely,

Faye Malarkey Black
 President & CEO



Steve Morrissey
Vice President
International Regulatory & Policy

February 19, 2025

The Honorable Ted Cruz
Chairman, Senate Commerce, Science and Transportation
Committee
254 Russell Senate Office Building
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member, Senate Commerce, Science and
Transportation Committee
254 Russell Senate Office Building
Washington, DC 20510

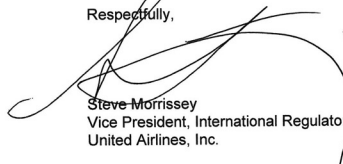
Dear Chairman Cruz and Ranking Member Cantwell:

I am writing to express support for Steven Bradbury's nomination to be Deputy Secretary of Transportation. I have known Mr. Bradbury for more than two decades, since his time in private practice, and believe he is the right person at the right time to serve as Deputy Secretary.

Mr. Bradbury will bring an impressive accumulation of skills and experiences to the position. Having previously served as General Counsel and Acting Secretary during a time of upheaval caused by the pandemic, as well as during previous transitions of presidential administrations, he has demonstrated a calm leadership demeanor during challenging and disruptive times. He has a deep knowledge of both legacy and emerging transportation issues across all modes and will serve as a strong deputy and counselor to Secretary Duffy and his senior staff. He is also an accomplished legal expert, a valuable skill for all senior government leaders. In short, he has deep and noteworthy knowledge of the Department, transportation policy, and the law.

Thank you for consideration of my views as you deliberate Mr. Bradbury's nomination to serve as Deputy Secretary.

Respectfully,



Steve Morrissey
Vice President, International Regulatory & Policy
United Airlines, Inc.



American Forest & Paper Association

February 20, 2025

The Honorable Ted Cruz, Chairman
The Honorable Maria Cantwell, Ranking Member
U.S. Senate Committee on Commerce, Science, and Transportation
254 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Cruz and Ranking Member Cantwell:

On behalf of the American Forest & Paper Association (AF&PA), I am writing in support of **President Trump's nomination** of Mr. Steven Bradbury, as nominee for Deputy Secretary of Transportation.

AF&PA serves to advance U.S. paper and wood products manufacturers through fact-based public policy and marketplace advocacy. The forest products industry accounts for approximately 5% of the total U.S. manufacturing GDP, manufactures about \$350 billion in essential products annually and employs about 925,000 people. The industry meets a payroll of about \$65 billion annually and over 75 percent of our facilities are located in counties that are **over 80 percent rural. The forest products industry is circular by nature.** AF&PA member companies make essential products from renewable and recyclable resources, generate **renewable bioenergy and are committed to continuous improvement through the industry's sustainability initiative** — [Better Practices, Better Planet 2030: Sustainable Products for a Sustainable Future](#).

The timely and cost-effective movement of products to and from these communities is **essential to our industry. We rely on our nation's highways, railroads, and ports to transport goods, making infrastructure maintenance crucial to the health of our sector.**

AF&PA advocates for necessary infrastructure enhancements, including policies that **promote efficiency, safety, and address shippers' concerns within rail, maritime, and highway freight transportation.** That's why we support sensible reforms to increase access to competitive freight rail services and modernize the Surface Transportation Board (STB).

We believe Mr. Steven Bradbury is highly qualified for this important role and will **execute President Trump's transportation agenda thoughtfully and effectively**, while working with Secretary Sean Duffy. Mr. Bradbury held key leadership roles in the U.S. Department of Transportation during the Trump administration, serving as Acting Deputy Secretary, and Acting Secretary of Transportation.

Previously, during the George W. Bush administration, he served as Principal Deputy and Acting Assistant Attorney General for the Office of Legal Counsel at the Department of Justice.

Based on our knowledge of Mr. **Bradbury's** background, we are confident that his expertise, experience, and professionalism make him an outstanding candidate for this role.

Kind Regards,

A handwritten signature in black ink that reads "Julie Landry". The signature is written in a cursive, flowing style.

Julie Landry
Vice President of Government Affairs

The CHAIRMAN. 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.

[Whereupon, at 11:29 a.m., the hearing was adjourned.]

A P P E N D I X

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TODD YOUNG TO STEVEN BRADBURY

AUTONOMOUS VEHICLES

Mr. Bradbury, I've been a proponent of autonomous vehicles and expanding opportunities for testing and deployment. The United States has been the global leader on AVs, but I am concerned that China is catching up and our country will soon be surpassed if we don't put in place pro-AV policies.

Question 1. What are your thoughts on AVs and what opportunities do you see at the Department of Transportation for AV policy?

Answer. Automated driving technologies, including autonomous vehicle systems, hold great promise to reduce highway deaths and injuries dramatically. I believe the Department of Transportation (DOT) should work to advance regulatory frameworks for the Nation that will help facilitate and accommodate the development, testing, and safe deployment of such innovative technologies and systems. If confirmed, I would plan to assist the Secretary in working toward this goal. If legislation is needed or deemed appropriate, I would expect to support the Secretary in working with Congress to advance Federal policy in this important area.

TRUCK DRIVER SHORTAGE AND DRIVE-SAFE ACT

Mr. Bradbury, the last surface reauthorization bill included a pilot version of my bipartisan *DRIVE-Safe Act*, to establish an apprenticeship program to allow for the legal operation of commercial motor vehicles in interstate commerce by commercial driver's license holders under the age of 21. However, the previous administration added burdensome requirements outside of Congress' intent—further inhibiting our ability to alleviate the truck driver shortage.

Question 2. Will you commit to reviewing the Biden Administration's missteps in implementation and exploring ways to correct them?

Answer. Yes.

Question 3. If an administrative fix isn't feasible, will you support my efforts to pass legislation that properly reforms the program?

Answer. If confirmed, I would expect to assist the Secretary in working with Congress on any such legislation that is deemed necessary, subject to the approval of the President.

THE INTERSECTION OF TECHNOLOGY AND TRANSPORTATION

Mr. Bradbury, leveraging tech and transportation holds promise of many economic and societal benefits as a result of improved safety and overall efficiency. Whether it be connected vehicles, autonomous vehicles, or next generation aviation—there are endless opportunities that should be prioritized.

Question 4. How are you thinking about the intersection of technology and transportation?

Answer. Technological innovation holds great promise for enhancing safety across all modes of transportation. I believe that DOT, wherever possible consistent with the law, should employ its authorities, including its regulatory powers, in a manner that promotes safety by preserving incentives for private investment in innovative new transportation technologies.

Question 5. Do you have any priorities when it comes to tech and transportation?

Answer. Yes, I do. If confirmed, my priorities would include assisting the Secretary in (1) working with the Federal Aviation Administration (FAA) (and Congress, if necessary) to upgrade the systems and technology needed to manage air traffic safely and efficiently and to ensure the safety of the National Airspace System (NAS); (2) advancing the regulatory frameworks for automated driving tech-

nologies, as discussed in response to Q.1 above; (3) working with the FAA to advance the regulatory framework for commercial drone usage and the approvals needed for the development of safe new advanced air mobility systems; (4) working with the FAA to make further improvements to streamline the process for licensing commercial space launches and reentries, consistent with safety; (5) working with the FAA to develop workable means for safely and efficiently integrating unmanned aircraft systems and advanced air mobility systems into the NAS; (6) working with the FAA to accommodate the advancement of new supersonic aircraft technologies; and (7) generally exercising DOT's regulatory and funding authorities in ways that accommodate the advancement of safety-enhancing technologies across all transportation sectors.

HIGHWAY REAUTHORIZATION PRIORITIES

Mr. Bradbury, as you know, Congress will need to reauthorize the Federal highway bill by the end of FY 2026. I have long heard from stakeholders in Indiana about their preference and support for increasing the percentage of formula grant funding to allow for more equitable distribution of funds across the country.

Question 6. I know that EPW has jurisdiction over this in a surface bill, but would you be open to this sort of change?

Answer. Yes.

GRADE CROSSINGS

Mr. Bradbury, over 95 percent of rail-related deaths in the United States involve drivers going through a grade crossing or a person walking on or along the tracks. Beyond the safety concerns, grade crossings can cause delays and impact many Americans' daily commutes.

Question 7. If confirmed, would you commit to advocating for robust funding and needed programmatic flexibilities for grade crossing projects in order to meet the demand for these vital safety and highway mobility improvement projects?

Answer. Yes, if confirmed, I would expect to assist the Secretary in supporting efforts to improve the safety of grade crossings. I agree that we must make it a national priority to reduce grade-crossing accidents significantly, including through appropriate funding and flexibility for innovative local solutions.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TED BUDD TO STEVEN BRADBURY

Question 1. The FAA Reauthorization Act of 2024 includes several provisions to address the problem that not all aircraft in the airspace can detect other aircraft in the vicinity. This detection capability is also known as electronic conspicuity. While three provisions (sections 319, 808, and 810) direct the FAA to act, section 906 requires the Comptroller General study to feasibility and cost of various means of electronic conspicuity and report to this Committee within one year—that is in five months from today. Safety experts believe the best way to ensure the safety of the airspace in which various types of aircraft operate is to require all aircraft to be electronically conspicuous to all other aircraft.

Will you prioritize the studies mandated by Congress, inquire as to the status of the GAO's work, and report to this Committee following your confirmation?

Answer. Yes, if confirmed, I will support the Secretary in responding to this request.

Question 2. President-elect Trump has commented that “just as America led the automobile revolution in the last century, I want to ensure that America, not China, leads the revolution in air mobility.” What steps will you take as Deputy Secretary of Transportation to follow through on this goal?

Answer. I agree with the President that it is critical for the U.S. to lead the world in the development and manufacture of advanced air mobility systems and that the U.S. must not be dependent on systems or components from China in this or other areas of transportation technology. To follow through on this imperative, I believe the FAA should have in place a clear, consistent, and streamlined framework for the efficient review and approval of safe new air mobility solutions and should apply its regulatory authorities in a manner that appropriately preserves incentives for American investment in these exciting systems and technologies, consistent with safety. If confirmed as Deputy Secretary, I would expect to work closely with the Secretary and the FAA to realize this goal.

What do you see as the Department of Transportation's (DOT's) role in ensuring U.S. leadership in the Advanced Air Mobility (AAM) industry?

Answer. Please see my response to the preceding question.

How will you work to reestablish the U.S. as the gold-standard in aviation and work with other civil aviation authorities to harmonize and create a global marketplace for U.S. AAM manufacturers?

Answer. The FAA must reestablish itself as the recognized world leader and standard setter in the safety certification of new aircraft systems. Among other things, FAA leadership enables America to maintain and grow its vital domestic manufacturing base in aviation, an important component of our national economy. If confirmed, I will assist the Secretary in working to ensure that the FAA continues to engage with major foreign certification authorities and other cooperative aviation partners around the world toward the goal of achieving consistent state-of-the-art standards and practices for the development and manufacture of advanced air mobility systems.

Question 3. Autonomous Vehicles (AVs) and Advanced Driver Assistance Systems (ADAS) can play a critical role to keep the roads safe. In 2022, there were around 40,000 traffic deaths on the roads. While I strongly support accelerated and scaled deployment of AVs, I am deeply concerned that the National Highway Traffic Safety Administration (NHTSA) does not have the most efficient and modernized test infrastructure to ensure the safety of these systems, such as through modeling and simulation.

How will you work with the NHTSA Administrator to modernize its test infrastructure to ensure these systems are being scaled in a safe way?

Answer. Automated driving technologies, including autonomous vehicle systems, hold great promise to reduce highway deaths and injuries dramatically. I believe all components of DOT, including NHTSA, should work to advance regulatory frameworks for the Nation that will help facilitate and accommodate the development, testing, and safe deployment of such innovative technologies and systems. If confirmed, I would plan to assist the Secretary in working toward this goal. If legislation is needed or deemed appropriate, I would expect to support the Secretary in working with Congress to advance Federal policy in this important area.

Question 4. It is well known that there has been a shortage in the air traffic controllers needed to meet the needs of our Nation's airspace. Congress responded by providing increased resources to the FAA and last year, passed the FAA reauthorization which increased authorized funding levels and directed maximum controller hiring.

Will you commit to maximum air traffic controller hiring?

Answer. Yes, if confirmed, I will support the Secretary in working with the FAA to ensure we hire the best and brightest air traffic controller candidates and that we expand the pipeline and training capacity for new air traffic controllers, consistent with the resources provided by Congress.

Will you commit to keeping this committee apprised of any resource needs to support our traffic system?

Answer. Yes, if confirmed, I will support the Secretary in keeping this Committee apprised when additional resources may be needed to support and improve the safe operation of our vital air traffic control systems.

Question 5. With drone delivery operations, the FAA has taken a piecemeal approach to NEPA reviews, conducting environmental reviews on a market by market basis, with only one instance of a statewide review. The process can take anywhere from 6 to 12, even up to 18 months. From talking to industry experts, it's clear to me that the environmental review process for drone operations moves too slowly and is hindering industry's ability to scale.

Congress addressed this issue in Section 909 of the FAA Reauthorization Act of 2024, which directs the FAA to develop guidance and implementation procedures focused on adoption of a higher-level, programmatic approach to environmental reviews for UAS operations, including consideration of a nationwide approach. Section 909 also directs the FAA to leverage prior environmental reviews to develop a categorical exclusion for certain specified commercial drone operations.

Do you agree that a streamlined, more nationwide or programmatic approach makes sense for these drone operations?

Answer. Yes.

As a follow up, given the delays caused by these environmental reviews in holding American companies back from providing benefits to communities across the country, can you commit today that, if confirmed, you will prioritize implementing Sec-

tion 909 of the FAA Reauthorization Act of 2024 and streamline the environmental review process for this promising technology?

Answer. Yes.

Question 6. Two Federal agencies (NHTSA and the Environmental Protection Agency) currently regulate vehicle emissions, which means vehicle manufacturers have compliance obligations to two different Federal agencies for essentially the same thing. How would you ensure that there is alignment between these regulations and that automakers meeting one emissions regulation would also be complying with the other?

Answer. Congress granted the Secretary of Transportation the exclusive authority to set fuel economy standards for new motor vehicles sold in the United States—an authority exercised through a delegation to NHTSA. In recent years, The Environmental Protection Agency (EPA) has established and enforced carbon dioxide emissions limits for new motor vehicles which inevitably carry the potential to supersede or interfere with the fuel economy standards set by NHTSA. Unfortunately, with the approval of EPA, the California Air Resources Board (CARB) has also issued regulations that impose separate fuel economy requirements. I believe it is important to return NHTSA to the lead role in setting national fuel economy standards for new motor vehicles. If confirmed, I would intend to assist the Secretary in ensuring that NHTSA fulfills this role in coordination with EPA to avoid any potential for unnecessary overlap or interference with EPA or CARB restrictions.

Question 7. The Infrastructure Investment and Jobs Act directed NHTSA and FMCSA to issue a number of rules requiring technologies on new vehicles.

Many of these rules are still yet to be issued. If confirmed, will you work with industry on new technological safety regulations so that they are practical, feasible, and promote innovation?

Answer. Yes, if confirmed, I would support the Secretary in fulfilling this commitment.

Question 8. China is currently engaged in a concerted effort to infiltrate the U.S. transportation system from surveillance balloons to drones to intelligent sensors. One such risk comes from Chinese Light Detection and Ranging (LiDAR) sensors that can create a 3-D model of everything around the sensor and are deployed—often with DOT taxpayer funds—on street corners for “Smart City” applications, at the perimeter fences of secure transportation facilities for breach detection, and inside airports for human traffic flow monitoring.

Chinese LiDAR manufacturers are targeting sales to U.S. Federal, State and local governments for the installation of LiDAR sensors near critical infrastructure. In fact, the largest Chinese LiDAR manufacturer, Hesai, was recently named by the Department of Defense as a Chinese military company operating directly in the United States.

If confirmed, will you immediately ensure that taxpayer funds at the Department of Transportation are not being spent on Chinese LiDAR sensors that create a homeland and national security risk and work with Congress to help pass legislation to ensure that such protections are added to U.S. law?

Answer. The threat to our national security from Chinese Communist Party-controlled technology is acute, especially when the technology is incorporated into assets used by governmental entities or near critical infrastructure. If confirmed, I will support the Secretary in reviewing all DOT funding programs to ensure that taxpayer funds are not being used to undermine national security. If it is determined that legislation is needed, I would expect to assist the Secretary in working with Congress to achieve this goal.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO
STEVEN BRADBURY

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

Question 1. On what date did you enter this purported confidentiality commitment?

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

Question 2. To whom did you make this commitment?

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

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

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

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

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

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

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

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

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

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

Question 2. Please identify the specific proposals that you support in Chapter 19 of the "Mandate for Leadership" publication?

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

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

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

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

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

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

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

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

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

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

Question 2. Is the Trump Administration implementing the action items called for in this Play-book?

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

Question 3. Why has Project 2025 not made these Playbooks public?

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

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

Answer. I am not free to do so.

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

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

Answer. No.

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

Answer. No.

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

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

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

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

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

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

Answer. I am not free to disclose this information.

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

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

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

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

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

Answer. No.

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

Answer. Yes.

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

Question 1. How did you get involved with the transition and who brought you on?

Answer. I am not free to disclose this information.

Question 2. What was your portfolio on the Trump-Vance Transition?

Answer. I am not free to disclose this information.

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

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

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

Question 1. Please explain how these errors occurred.

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

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

Answer. No.

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

Answer. I was semi-retired, focusing on spending time with my wife and devoting attention to writing pieces for publication online on my personal Substack and Medium sites, as listed in my responses to the CST Committee Questionnaire. During that period, I also considered potential opportunities to serve as in-house counsel with a number of corporations and nonprofit or public entities.

Following the law. In testimony before the Senate Judiciary Committee in 2006, you stated that the “President is always right.” You have since tried to walk back that testimony, stating it was made in jest. However, presidential overreach is no

laughing matter, especially when we have a President who is bent on pushing the limits of Executive authority.

Question 1. Do you believe the Executive Branch must comply with lawful court orders?

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

Question 2. If the president ordered you to do something illegal, would you refuse?

Answer. Yes.

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

Question 1. Did Donald Trump lose the 2020 presidential election?

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

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

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

We now know that, pursuant to this exemption, the Army Aviation Brigade at Fort Belvoir and Marine Helicopter Squadron One executed 100 percent of their missions with the ADS-B Out deactivated. And we also now know that the Black Hawk helicopter involved in the January 29, 2025 collision was operating without ADS-B Out activated even though it was a routine check ride.

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

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

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

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

Question 3. If confirmed, do you commit to swiftly reassessing the interim final rule that DOT promulgated in 2019 under your leadership?

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

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

Question 1. If confirmed, do you commit to doing so?

Answer. I am a strong proponent of safety management systems and plans for Boeing and for operators in aviation and in other transportation sectors, and I be-

lieve DOT needs to ensure greater effectiveness and accountability through SMS oversight. If confirmed, I will commit to supporting that goal, certainly including with respect to Boeing.

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

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

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

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

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

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

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

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

FAA and Conflicts of Interest. When I asked you at the hearing if you thought there was a possibility that Elon Musk has conflicts of interest related to the FAA, I did not receive a direct answer. Even more concerning, you did not clearly affirm that Mr. Musk should sign a conflict-of-interest agreement that ensures he avoids such any such conflicts.

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

You are a lawyer who has advised on ethics and recusal matters. We know that Elon Musk's SpaceX company has a direct and substantial financial interest related to FAA's regulatory and enforcement activities. And we know that Elon Musk and his SpaceX engineers received access to FAA's Air Traffic Control System Command Center on February 17. Based on your professional obligations as a barred attorney,

shouldn't these facts at least require Mr. Musk to submit to a conflicts review to ensure no law or regulation is being violated?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Answer. Please see my answer to the preceding question.

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

Question 1. Do you support S.576 the Railway Safety Act? If you cannot answer "yes," why not?

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

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

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

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

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

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

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

Question 5. Do you support the NTSB's recommendation that the DOT-111 tank car, which failed to hold combustible liquids in the East Palestine crash, be phased out of combustible liquid service be transported in stronger rail cars like the DOT-117 that crude oil is currently transported in?

Answer. Yes.

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

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

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

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

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

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

Question 1. How should Congress address this shortfall?

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

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

Answer. Please see my answer to the preceding question.

Question 3. Do you support raising revenues to address the shortfall?

Answer. Please see my answer to Question 1 above.

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

Answer. Please see my answer to Question 1 above.

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

Answer. Please see my answer to Question 1 above.

Question 6. Will you protect programs funded by the HTF from impoundment?

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

Grant Awards. Projects all over the Nation have been languishing and at times waiting for decades to begin construction because they haven't had access to needed funding. Congress provided the Department of Transportation with five years of advanced appropriations so that projects could be notified of awards in advance and begin preparing to implement their projects.

Thanks to the Bipartisan Infrastructure Law, projects across the Nation now have been notified of the Fiscal Year 2026 funding they need to start construction. This includes large and complex projects that received funding over multiple years. Thanks to these awards, even communities without signed grant agreements are prioritizing staff and resources to projects in preparation to begin construction.

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

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

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

States and rural communities rely on U.S. Department of Transportation funding, through Federal-aid highway funds, Federal Transit Administration funds, and other sources that help build and improve these ferry operations. The Bipartisan Infrastructure Law included funding increases to flagship ferry grant programs, such as the Passenger Ferry Program, Ferry Boat Program Grant, and created two new discretionary ferry programs including the Ferry Service for Rural Communities Program, and the Electric or Low-Emitting Ferry Pilot Program. This funding is instrumental in improving and modernizing Washington state's ferry system. Federal ferry funding is not only a lifeline in Washington state, but also states including Alaska, North Carolina, Louisiana, Texas, New York, New Jersey, Michigan, and California.

Question 1. If confirmed, will you commit to protect these programs from impoundment?

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

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

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

2026 World Cup. Seattle will be host to six FIFA World Cup matches in 2026. Event organizers estimate 750,000 people will visit Seattle from all over the world for the six games it is hosting. As the World Cup brings travelers, tourists, and fans to the city, security risks and the threat of targeted terrorist attacks will increase for the event's affiliated facilities, eventgoers, and staff.

Consequently, the U.S. Department of Homeland Security has determined that Seattle will have over 70 Special Event Assessment Rating (SEAR) events. To help address this challenge, Sen. Moran and I introduced the Transportation Assistance for Olympic and World Cup Cities Act.

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

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

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

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

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

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

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

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

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

Question 1. Do you support the Jones Act and believe it should be maintained?

Answer. Yes.

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

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

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

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

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

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

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

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

Answer. Yes.

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

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

Answer. Yes.

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

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

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

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

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

Question 2. Commercial fishing vessels are currently not considered a vessel of national interest, even though investing in the domestic seafood supply chain is of great economic importance, particularly with respect to keeping costs down for consumers, protecting family wage fishing and seafood processing jobs, and improving competitiveness with China in the seafood sector.

Would you support expanding Title XI to cover loans to include fishing vessels as a vessel of national interest for the purposes of the Title XI Program? Would you support further expanding the program to include construction of seafood supply chain shoreside infrastructure modernization?

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

ATTACHMENT:

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

 Office of the Assistant Attorney General The Honorable Arlen Specter Chairman Committee on the Judiciary United States Senate Washington, DC 20510	U.S. Department of Justice Office of Legal Counsel Washington, D.C. 20530 July 14, 2006 The Honorable Patrick J. Leahy Ranking Minority Member Committee on the Judiciary United States Senate Washington, DC 20510
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Dear Chairman Specter and Senator Leahy:

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

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

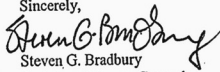
REP. COOPER: Mr. Bradbury, . . . [y]ou were quoted in the newspaper yesterday as saying that the president is always right. And I hope that's a misquote because I've never met an infallible human being yet—

MR. BRADBURY: Neither have I, Congressman.

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

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

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

Sincerely,

 Steven G. Bradbury
 Acting Assistant Attorney General

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. AMY KLOBUCHAR TO
STEVEN BRADBURY

Question Topic: Infrastructure Funding

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

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

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

Question Topic: NOTAM

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

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

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

Question Topic: Air Traffic Control Infrastructure

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

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

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

Question Topic: FAA Firings

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

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

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

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO
STEVEN BRADBURY

Department of Transportation Grants

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

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

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

Answer. Please see my answer to Question One.

Question Three. What are your priorities for infrastructure investment?

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

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

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

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

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

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

Answer. Please see my answers to the preceding questions.

Road Safety

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

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

automated driving technology and AVs. If legislation is needed or deemed appropriate to achieve these goals, I would expect to support the Secretary in working with Congress to advance Federal policy in this important area.

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

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

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

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

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

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

Oversight

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

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

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

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

Aviation

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

Answer. Yes.

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

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

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

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

Project 2025

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

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

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

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

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

Answer. Please see my answer to the preceding question.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TAMMY DUCKWORTH TO
STEVEN BRADBURY

Question Topic: Accessible Air Travel

Question 1. The bipartisan FAA Reauthorization Act of 2024 includes several provisions focused on improving the air travel experience of passengers with disabili-

ities. Specifically, the law requires DOT to promulgate several rules, including those related to boarding and deplaning of aircraft and inflight entertainment.

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

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

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

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

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

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

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

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

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

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

Question Topic: Accessible Train Travel

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

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

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

Question Topic: Aviation Safety

Question 1. As Ranking Member of the Subcommittee on Aviation, Space & Innovation—and as a pilot—I take aviation safety very seriously. Our aviation system is at a crossroads. Our margin of safety has been diminished—both in operations and in manufacturing. We need to restore our safety margin, not diminish it further. A big part of that involves growing our aviation workforce. We lost a lot of experience during the pandemic, and we need to chart a course to build that back over the next several years. We need more air traffic controllers and other specialists.

We passed a strong, bipartisan FAA Reauthorization bill last year to do that. But President Trump is undercutting these bipartisan efforts. One of his first acts back in office was to invite air traffic controllers to retire early. Then, he fired hundreds at FAA. That's not helpful for safety. Based on your prior work at the Department of Transportation, I am concerned that you, too, will not make safety your top priority. During this committee's investigation into the Boeing 737 MAX crashes—you failed to fully cooperate. Your actions were so troubling, then-Chairman Wicker specifically called you out in his final report for failing to produce relevant documents. The House Transportation & Infrastructure committee voiced similar frustrations with DOT's level of cooperation during its 737 MAX investigation. DOT is going to need to cooperate with Members of this committee—so we can continue our oversight of Boeing certification and production issues.

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

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

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

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

Answer. If confirmed, I will support the Secretary in working with the FAA to ensure that new Boeing aircraft are only certified for service when all safety requirements are met and when the FAA is convinced that the aircraft is safe to carry passengers in commercial air service.

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

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

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

Question Topic: Federal Funding

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

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

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

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

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

Answer. Please see my answer to the preceding question.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BEN RAY LUJÁN TO
STEVEN BRADBURY

Question Topic: DOT Grants

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

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

Question Topic: Tribal Consultation

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

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

Question Topic: Air Traffic Control

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

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

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

Answer. Yes.

Question Topic: FAA Staffing

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

Answer. Yes.

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

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

Question Topic: Rail Safety

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

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

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

Answer. Yes.

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

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

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

Answer. Please see my answer to the preceding question.

Question Topic: Truck Safety

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

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

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

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

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

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

Answer. Yes.

Question Topic: NHTSA Staffing & Funding

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

Answer. I believe NHTSA plays a critical role in assessing and validating test methods for new automotive safety systems. NHTSA also supports some of these efforts through grant funding. If confirmed, I would expect to support the Secretary in working with NHTSA to review the need for and effectiveness of NHTSA's grant-

making programs, consistent with the laws and appropriations enacted by Congress. I believe private investment is the main driver of technological innovation in the U.S., including for new safety-enhancing transportation systems. To maximize safety and save more lives, we need to preserve incentives for private investment in innovative new technologies.

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

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

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

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

Question Topic: Impaired Driving Prevention

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

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

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

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

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

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

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

Answer. Yes.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. LISA BLUNT ROCHESTER TO STEVEN BRADBURY

Question Title: Flight 5342 Response

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

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

Answer. Yes.

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

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

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

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

Question Title: Economic and Workforce Development

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

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

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

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

Answer. I believe the Department needs to be a leader in standing up for U.S. airlines in international discussions. We should insist on firmly maintaining reciprocity in air service, in addressing and eliminating unfair subsidies and regulatory

distortions by foreign nations that often advantage their government-owned or government-influenced carriers versus private U.S. carriers, and in vindicating the principles of our Open Skies policies. I would also favor pursuing new Open Skies agreements where they make sense for America.

Question 3. Aviation manufacturing is a major economic driver in the United States, with the largest trade balance (exports minus imports) among all U.S. manufacturing sectors. A global network of manufacturers and suppliers provides the aircraft and components that airlines in the United States rely on to support their operations. In December the General Accountability Office issued a report documenting how U.S. airlines have had to make changes to scheduled flights and develop ways to safely extend the life of some parts, among other actions, due to the difficulty obtaining new aircraft or the parts needed to maintain their current fleet. As U.S. airlines respond to the post-pandemic rebound in air travel demand, aviation manufacturers' ability to provide new aircraft and parts is key to airlines' efforts to maintain and grow their operations.

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

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

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

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

Question Title: 737 MAX

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

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

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

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

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

Question Title: ATC Privatization

Question 1. Given the significant role the FAA plays in regulating air traffic, ensuring safety standards, and overseeing airspace management, privatizing the agency could have profound implications for public safety and accessibility. The current

model ensures that aviation policy and airspace management are in the hands of a government body with the sole mission of public safety, not profit.

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

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

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

Answer. Please see my answer to the preceding question.

