

United States Senate

WASHINGTON, DC 20510

February 24, 2025

The Honorable Sean Duffy
Secretary of Transportation
United States Department of Transportation
1200 New Jersey Ave SE
Washington, DC 20590

Dear Secretary Duffy:

We write to express our deep concerns with the recent firings of Federal Aviation Administration (FAA) personnel and the involvement of a cadre, unaccountable to the American people, in critical aviation safety decision making. The past week has seen mass firings of Federal workers, done without regard to personal performance, the impact on mission effectiveness, and the effect on the country's ability to deliver services at home or compete abroad. We urge you to stand up for the safety of our national air space and reverse these devastating cuts in key safety roles.

Recent incidents have demonstrated that we cannot afford to put a partisan agenda ahead of the public's safety. On January 29, there was a tragic collision between two aircraft near Washington National Airport, on January 31 a medical transport airplane crash in Philadelphia, on February 7 a regional airline crash near Nome, on February 10 a fatal ground collision between two aircraft on a runway in Scottsdale, and on February 18 an incident in Toronto in which an aircraft originating in Minneapolis overturned on the runway. We need experienced, qualified, and impartial professionals to investigate these unfortunate incidents, develop plans to prevent these types of accidents from occurring in the future, and implement those plans with the safety of the public as the sole and guiding objective.

We share your stated goal of "safe, state-of-the-art air travel."¹ As my colleagues and I stated in a recent letter to Acting Administrator Rocheleau of the FAA, the "FAA should identify and implement immediate steps to improve safety for aviation industry personnel [and] the flying public[.]"² We reiterate that any efforts to weaken standards will not be tolerated and that Mr. Musk's mantra of "move fast and break things" should not be applied to aviation safety. The civil servants at the FAA, including the hundreds that were summarily terminated, operate with the goal and expectation that any margin of failure is not acceptable.

Furthermore, the announced involvement of SpaceX employees in "deliver[ing] a new, world-class air traffic control system"³ is troubling given that SpaceX has been investigated and fined

¹ Sean Duffy (@SecDuffy), TWITTER (Feb. 16, 2025, 9:15 PM), <https://x.com/SecDuffy/status/1891310401800872114>

² Letter from Mark R. Warner et al., United States Senator, United States Senate, to Chris Rocheleau, Acting Administrator, Federal Aviation Administration. (Feb. 10, 2025) (on file with author)

³ Sean Duffy (@SecDuffy), TWITTER (Feb. 16, 2025, 9:15 PM), <https://x.com/SecDuffy/status/1891310401800872114>

by the FAA for multiple incidences of safety violations, and is at this time actively under investigation by the FAA for additional safety violations. In your tweet February 5, you stated ““Big News – Talked to the DOGE team. They are going to plug in to help upgrade our aviation system.”⁴ Both DOGE and SpaceX are controlled by, or subject to direction of (in fact if not in law) Elon Musk.

Additionally, your tweet notes that Mr. Musk’s SpaceX team is visiting the FAA to “get a firsthand look at the current system, learn what air traffic controllers like and dislike about their current tools, and envision how we can make a new, better, modern and safer system.”⁵ With the Trump administration asserting that Mr. Musk “has no actual or formal authority to make government decisions himself”⁶ and that he “only has the ability to advise the President, or communicate the President’s directives,”⁷ it is reasonable to question in what capacity SpaceX and Mr. Musk are involved with FAA safety systems. Mr. Musk’s engagement raises major concerns regarding the appropriateness of letting the head of a regulated company to dictate the operations of its safety regulator.

In order to provide the public with a full rationale and transparency in your recent decisions please provide responses to the below questions no later than March 24, 2025

1. Did the SpaceX team receive access to the FAA Air Traffic Control System Command Center in New Baltimore, Virginia, or any other component of the air traffic control system?
 - a. Describe, and provide documentation sufficient to substantiate, the areas of the facility that the SpaceX team accessed, at what control levels, and the titles and responsibilities of FAA or contractor personnel that SpaceX communicated with.
 - b. Describe, and provide documentation sufficient to substantiate, the information that was provided to the SpaceX team and the information that was requested by the SpaceX team.
 - c. If no, provide information on, and documentation sufficient to substantiate, confirmed or potential dates for any visit in which air safety is a subject, or component, of the visit.
2. Your tweet of February 16 requested “help from any high-tech American developer or company that is willing to give back to our country” and that “My door at @USDOT is open to any and all patriotic developers or companies who want to help our country in this incredible, game-changing mission.”

⁴ Sean Duffy (@SecDuffy), TWITTER (Feb. 5, 2025, 1:37 PM), <https://x.com/SecDuffy/status/1887209012867047525>

⁵ Sean Duffy (@SecDuffy), TWITTER (Feb. 16, 2025, 9:15 PM), <https://x.com/SecDuffy/status/1891310401800872114>

⁶ Declaration Of Joshua Fisher at 24, State of New Mexico, et al. v. Elon Musk, in his official capacity, et al., C.D. District of Columbia (2025) (No. 10.1)

⁷ Declaration Of Joshua Fisher at 24, State of New Mexico, et al. v. Elon Musk, in his official capacity, et al., No. 1:25-CV-00429 (D.D.C. Feb. 17, 2025).

- a. What process is in place to collect communications from “American developer[s] or company[ies]”?
 - b. What process is in place to evaluate responses to your solicitation? Describe how it will identify, evaluate, and mitigate conflicts-of-interests by responding parties?
3. Did you or any employee of the U.S. Department of Transportation originate the idea to invite SpaceX for this engagement? If the directive originated outside of the Department, from where did it originate? Provide documentation sufficient to substantiate your response.
 - a. Is SpaceX, or any individual or entity affiliated with or employed by SpaceX, receiving compensation for:
 1. the visit to the Air Traffic Control System Command Center;
 2. meetings or communications with FAA personnel or contractors;
 3. any recommendations, reports, communications, or any other work relating to a “a new, better, modern and safer system”;
 4. or any other work responsive to, or having a nexus with, your tweet of February 16.
4. On February 5, 2025, both you and Elon Musk separately announced that DOGE would “upgrade our aviation system”.
 - a. Did you or an employee of the U.S. Department of Transportation initiate the invitation to DOGE? If the directive originated outside of the Department, from where did it originate? Provide documentation sufficient to substantiate your response.
 - b. What engagement have you had with DOGE at this time? Provide documentation sufficient to substantiate your response.
 - c. What engagement has been discussed or is planned for the future? Provide documentation sufficient to substantiate your response.
 - d. Do you commit to timely report to Congress any actions that the FAA is directed to undertake at the direction of the President, DOGE, or SpaceX or any other third party regarding any aspect of aviation safety?
 - e. Do you commit to providing the public with details about what recommendations of SpaceX or DOGE staff and representatives provide to you in relation to aviation safety? Will you notify Congress if you elect to follow through on any recommendations provided to you by SpaceX or DOGE staff and representatives?

5. Please provide a list of FAA and National Highway Traffic Safety Administration, Pipelines and Hazardous Materials Safety Administration, Maritime Administration, and other Department of Transportation personnel notified of their termination by the date of this letter, including information on:
 - a. Each individual's position, specialties, and participation in advisory boards, interagency working groups or task forces, and rationale for dismissal;
 1. include documentation sufficient to substantiate the rationale for dismissal.
 - b. time in current (or most recent) role;
 - c. total time in federal service;
 - d. veteran status; and
 - e. any analyses prepared on the impact the terminations had, or are projected to have, on FAA aviation safety and Department of Transportation safety programs across all modalities.
 1. Provide documentation sufficient to substantiate any determination on the impact that the terminations could have on safety programs and efforts across all modalities.

Personally-identifying information may be removed for the purposes of the response but should be provided to congressional staff at our request.

We look forward to your swift response and to working together for the best interests of the public and the United States of America.

Sincerely,



Mark R. Warner
United States Senator



Tim Kaine
United States Senator



Richard Blumenthal
United States Senator



Chris Van Hollen
United States Senator



Catherine Cortez Masto
United States Senator