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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

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February 6, 2025

The Honorable Sean Duffy
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, D.C. 20590

Secretary Duffy:

When you and I spoke the other day, you asked if we could work together to accelerate the implementation of the Next Generation Air Transportation System (NextGen)—as we directed the Federal Aviation Administration (FAA) to do in the FAA Reauthorization that became law in May 2024. I agree we need to work together to galvanize support to continue getting the best technology in place as soon as possible and make federal investments to make aviation safer.

However, when we spoke, you did not discuss your intention to involve Elon Musk in the FAA's safety systems or process. It is a conflict of interest for someone whose company is regulated by the federal government to be involved in anything that affects his personal financial interest, his company, or his competitors.

FAA has the legal responsibility for safety oversight of companies with commercial space transportation licenses. Elon Musk's SpaceX rocket launches share the airspace with commercial airplanes, and the FAA has the responsibility for keeping the entire airspace safe. SpaceX has been fined by the FAA for failing to comply with specific requirements in its launch license. Mr. Musk, in turn, called for the firing of Mike Whitaker, the FAA Administrator who the Senate confirmed 98-0 because the FAA issued a fine against SpaceX for not following the rules. We have ethics and recusal laws for a reason—to prevent corporate interference in protecting the public interest.

We are now without a permanent FAA Administrator to lead us through the biggest U.S. air crash we have had in years. Secretary Duffy, you must make sure that all conflicts of interest between the FAA and Elon Musk are removed.

I look forward to working with you to invest in our aviation safety and appreciate your cooperation in ensuring all ethics laws and regulations are followed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Maria Cantwell". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Maria Cantwell
Ranking Member

Cc: David Huitema, Director, Office of Government Ethics
Mitch Behm, Acting Inspector General, U.S. Department of Transportation