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United States Senate
**COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION**
WASHINGTON, DC 20510-6125
WEBSITE: <https://commerce.senate.gov>

October 29, 2025

The Honorable John Thune
Majority Leader
United States Senate
Washington, D.C. 20510

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

Dear Leader Thune and Chairman Cruz:

We are strongly opposed to proceeding with a November 6, 2025, nomination hearing on John DeLeeuw to replace National Transportation Safety Board (NTSB) Vice Chair Alvin Brown, whom President Trump illegally removed from his position earlier this year. Vice Chair Brown is actively challenging his unlawful removal from the Board and seeking a court order that would allow him to continue serving the remainder of his term, consistent with the statutory structure Congress established for the NTSB. Proceeding with this hearing now—particularly on such a rushed timeline¹—would needlessly set a precedent that runs counter to the bipartisan tradition of the Senate Commerce Committee. We urge you not to do so.

On March 8, 2024, the Senate unanimously confirmed Vice Chair Brown to serve on the NTSB for a term expiring December 31, 2026. The Senate's overwhelming support for Vice Chair Brown should not be surprising: As a former mayor of Jacksonville, Florida, and a former senior adviser in the U.S. Department of Transportation, Vice Chair Brown's background and experience made him well qualified to serve on the NTSB. Shortly after he was sworn in, Vice Chair Brown began conducting critical work supporting the NTSB's independent investigation into the collapse of the Francis Scott Key Bridge, which killed six people and caused billions of

¹ The Senate Committee on Commerce, Science, and Transportation received initial nominee paperwork on Mr. DeLeeuw on October 23, 2025. Mr. DeLeeuw submitted updated paperwork on October 24, 2025, which addressed prior omissions and included revised documentation. On October 27, 2025, Mr. DeLeeuw submitted further updated paperwork containing previously omitted information and correcting one of his prior responses.

dollars in damages.² He was also leading the NTSB's response to a March 13, 2025, highway pileup on Interstate 35 in Austin, Texas that killed five people and injured eleven more.³

Despite this track record, on May 5, 2025, President Trump terminated Vice Chair Brown. In doing so, the President provided no justification for this removal,⁴ let alone one that would satisfy the for-cause criteria that Congress established when it created the NTSB.⁵ Instead, less than four months after the deadliest mid-air collision in the United States in more than 20 years,⁶ the President chose to politicize the NTSB and undermine its ability to investigate major transportation accidents like the DCA crash and formulate safety improvement recommendations. Every Senator should be alarmed by this Executive Branch overreach—the President has removed an independent board Member, who was unanimously confirmed by the Senate, without cause, in violation of the statutory protections that Congress created to prevent this exact situation from occurring. This rings of the type of Executive Branch “lawlessness” and “taste for unilateral action to circumvent Congress” about which you have expressed deep concerns in the past.⁷

Compounding matters, more than nine months into this Administration, the White House has still refused to nominate a single member from the opposing party to any independent board or commission—choosing instead to leave a raft of holdovers and vacancies across the federal government. This approach will only further hamstring the effective operation of the NTSB and other independent agencies, which Congress deliberately designed to be insulated from political influence to promote the safety and wellbeing of workers, consumers, travelers, and the American public.⁸ Taken together, the Executive Branch is clearly deploying a calculated plan to irreparably undermine the Senate's constitutional advice-and-consent role, disregard statutory

² NTSB, “Contact of Containership *Dali* with the Francis Scott Key Bridge and Subsequent Bridge Collapse” (May 14, 2024); https://www.nts.gov/investigations/Documents/DCA24MM031_PreliminaryReport%203.pdf

³ “Multivehicle Work Zone Collision on Interstate 35”, *National Transportation Safety Board*, (Apr. 10, 2025); <https://www.nts.gov/investigations/Pages/HWY25MH005.aspx>; see also Munro, Dana, and Weiner, Rachel, “Key Bridge costs could far exceed nearly \$2 billion estimate, Duffy says”, *Washington Post*, (Aug. 29, 2025); <https://www.washingtonpost.com/dc-md-va/2025/08/29/key-bridge-rebuilding-cost-sean-duffy/>.

⁴ See Complaint, *Brown v. Trump* (D.D.C. Jun. 4, 2025); <https://democracyforward.org/wp-content/uploads/2025/06/Alvin-Brown-v-Trump-Complaint.pdf> (pg.8). Current NTSB Member Michael Graham testified on September 17, 2025, that he was “not personally aware” of any specific conduct that would justify the firing of Vice Chair Brown. See Michael Graham responses to Democratic Questions for the Record (Sept. 17, 2025); <https://www.commerce.senate.gov/services/files/B5AE7EB3-7307-4D2D-9F69-50327234E7DD> (pg. 5).

⁵ U.S.C 49 § 1111

⁶ Li, David, and Blackman, Jay, “After deadly midair collision over Potomac, NTSB wants helicopter ban near D.C. area's Reagan Airport”, *NBC News*, (Mar. 11, 2025); <https://www.nbcnews.com/news/us-news/deadly-midair-collision-potomac-ntsb-wants-helicopter-ban-dcs-reagan-a-rcna195796>.

⁷ Cruz, Ted, “The Imperial Presidency of Barack Obama”, *Wall Street Journal Opinion*, (Jan. 28, 2014); <https://www.wsj.com/articles/SB10001424052702304632204579338793559838308>; see also Press Release, “Thune Statement on Unprecedented Appointment of New Government Czar”, *U.S. Senator John Thune*, (Jan. 4, 2012); <https://www.thune.senate.gov/public/index.cfm/2012/1/thune-statement-on-unprecedented-appointment-of-new-government-czar>.

⁸ McFerran, Lauren, and McNicholas, Celine, “Trump's assault on independent agencies endangers us all”, *Economic Policy Institute*, (Oct. 22, 2025); <https://www.epi.org/publication/trumps-assault-on-independent-agencies-endangers-us-all/>.

requirements Congress created to protect the American people, and further marginalize the Legislative Branch.

The Senate should not be enabling the White House's dangerous power grab. But by rushing forward with a hearing on November 6, 2025, to consider President Trump's nominee to replace Vice Chair Brown—while he is actively seeking to serve the remainder of the statutory term for which he was unanimously confirmed—you would be doing precisely that. Proceeding in this manner would also erode the Committee's longstanding tradition of bipartisanship and its authority as a co-equal branch of government, both of which are fundamental to our ability to promote and protect the safety of the American people.

We implore you not to set this precedent and not to move forward with Mr. DeLeeuw's nomination at this time.

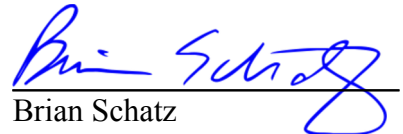
Sincerely,



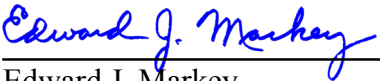
Maria Cantwell
United States Senator
Ranking Member, Committee
on Commerce, Science, and
Transportation



Amy Klobuchar
United States Senator



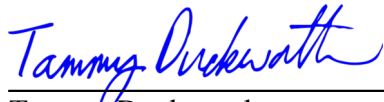
Brian Schatz
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Edward J. Markey
United States Senator



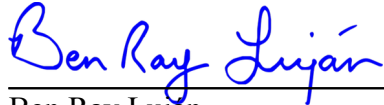
Gary C. Peters
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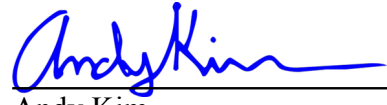
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Jacky Rosen
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Andy Kim
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Lisa Blunt Rochester
United States Senator