

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 261, Whitney D. Hermandorfer, of Tennessee, to be United States Circuit Judge for the Sixth Circuit.

John Thune, Lindsey Graham, Shelley Moore Capito, Ted Budd, Mike Lee, Tom Cotton, John Barrasso, Bernie Moreno, Cynthia M. Lummis, Katie Boyd Britt, Eric Schmitt, Roger Marshall, Marsha Blackburn, Markwayne Mullin, Steve Daines, Jim Banks, Chuck Grassley.

EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I ask unanimous consent to resume Calendar No. 106.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The bill clerk read the nomination of Preston Griffith, of Virginia, to be Under Secretary of Energy.

ORDER OF PROCEDURE

Mr. THUNE. Mr. President, I ask unanimous consent that notwithstanding rule XXII, if cloture is invoked on the Griffith nomination, all postcloture time be expired and the Senate vote on the motion to invoke cloture on the Bedford nomination; further, that if cloture is invoked on the Bedford nomination, all postcloture time be expired and the Senate vote on confirmation of the Griffith and Bedford nominations at a time to be determined by the majority leader, in consultation with the Democratic leader, no earlier than Wednesday, July 9; further, that if confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action; finally, that the remaining clotures filed on July 1 ripen at a time to be determined by the majority leader, in consultation with the Democratic leader, on Wednesday, July 9.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF BRYAN BEDFORD

Ms. CANTWELL. Mr. President, I come to the floor to speak in opposition to the nomination of Bryan Bedford to serve as the FAA Administrator—the Federal Aviation Administration. Everyone knows that the FAA is at a critical point in its history. The tragic midair collision that we had in DC on January 29 took the lives of 67 people and made it clear what was at stake to all of us.

The National Transportation Safety Board, in their subsequent findings earlier this year, said that over 15,000 close calls took place around DCA over the past 3 years alone, demonstrating that we and the aviation industry have much more work to do to raise the safety bar.

The FAA and its workforce are facing historic challenges. Within weeks of the DCA crash, the Trump administration fired hundreds of FAA officials, including technical operations staff who help make it possible for air traffic controllers to do their jobs and specialists who design FAA route flight maps.

With air traffic system outages and a clear directive from Congress to implement stronger safety regulations, career officials with decades of aviation experience have been pushed to leave. Just to be clear, I am referring to the fact that we passed an FAA 5-year authorization, and we said we need stronger safety regulations, and we need more hands-on experience, not shortcuts for the individuals that are helping us implement safety plans.

As a result, senior leaders at multiple FAA lines of business have already left or are in the process of leaving, and the FAA has lost about 3 percent of its workforce—more than 1,200 employees—to the deferred resignation program.

An FAA presentation obtained by the Wall Street Journal in May revealed that the FAA is internally sounding the alarm about the impacts from those staffing shortages. The presentation warned that the Agency's ability to work on runway safety, process medical clearances for air traffic controllers, and fulfill its statutory and regulatory requirements were all at risk.

The next FAA Administrator will have an overarching mission that will be a huge challenge: ensuring the United States remains the global gold standard for aviation safety. And in order to keep 2.9 million commercial airline passengers safe each day, the next Administrator must prioritize investing in the FAA safety workforce.

These challenges underscore why we should have an Administrator who is willing to strengthen the safety standards, instead of seeking ways to get around them. When we look at the record of aviation safety, Mr. Bedford has been on the frontlines, obviously working in the aviation sector, but also in a frontline effort to roll back safety reforms and unravel the regulatory framework that has made the United States the gold standard.

Since 1999, Mr. Bedford has been the president and CEO of Republic Airways, one of the largest regional airlines in North America. And for over a decade, he has consistently fought to change the FAA's 1,500-hour rule, which is a key safety provision that was implemented in 2013 following the tragic crash of a regional jet—Colgan Air Flight 3407 near Buffalo, NY, that killed 49 people.

The rule sets strong pilot training and first officer qualification standards to ensure that both pilots have the appropriate experience to react to in an in-flight emergency. Instead of recognizing how this rule was developed through the public debate and notice and comment period, Mr. Bedford has called it arbitrary. That means the FAA went through a very big process, but Mr. Bedford thinks that was "arbitrary" and "does nothing to further the goal of increased flight safety."

Mr. Bedford has then led a trade association that spent millions of dollars lobbying against the 1,500-hour rule and other pilot training policies, including as recently as the first quarter of this year. And in 2022, Mr. Bedford's company petitioned the FAA for an exemption from the 1,500-hour rule. That effort failed, but as head of the FAA, he will be in the very job that he basically tried to lobby to say, Let's weaken safety standard rules.

The effort that Mr. Bedford tried when he was in the private sector failed, but as I said, as the head of FAA, he could hold power over the Agency to weaken what has become a very bedrock 1,500-hour to help us make sure that both pilots and copilots are appropriately trained.

My colleagues and I gave Mr. Bedford multiple chances in our Commerce Committee nomination hearing to tell us that he, if confirmed, would not weaken that rule, but he repeatedly refused to give us an answer or commitment. To me, that was the evidence that I needed to understand, if the 1,500-hour rule, which has been in place since the Colgan Air tragedy, could be at risk if Mr. Bedford were confirmed.

Mr. Bedford would not commit to recusing himself from ruling on his own company's exemption request from the 1,500-hour rule for the entirety of his 5-year term as FAA Administrator. In other words, he could decide to grant his own company an exemption, the same thing he tried to do when he was in the private sector lobbying the FAA.

Mr. Bedford's hearing testimony was so concerning that the Colgan Air Flight 3407 families have publicly opposed his nomination. These are families who have become the bedrock of safety. They move forward with their lives, but they also come to Capitol Hill each year to protect aviation safety standards.

The families said that Mr. Bedford's clear aim to weaken the 1,500-hour rule "sends the wrong message to every American passenger and every family that has ever boarded a domestic flight."

This represents, I think, a very big challenge for us right now. Too often, carriers operating under tight profit margins and resource constraints focus on reactive measures rather than proactive safety improvements. What we need is a proactive Administrator. We need somebody who is fighting for the safety improvements to prevent

the accidents in the first place. And at this critical moment, we need an FAA Administrator who will break from this reactive safety culture and provide the proactive safety leadership that we need to prevent problems before they happen.

Even Captain “Sully” Sullenberger, the pilot who performed the Miracle on the Hudson, is also opposing Mr. Bedford’s nomination. Captain Sullenberger recognized that Mr. Bedford “is not willing to uphold the critically important pilot experience requirements put in place in 2010 that have been so effective in ensuring the safety of the traveling public.” He went on to warn that:

With the nomination of Bryan Bedford to be the FAA Administrator, my life’s work could be undone.

I am sure that Captain Sullenberger understands the importance of having two pilots. At a hearing before the Commerce Committee, when I asked him about the 1,500-hour rule, he said:

In an emergency, you really don’t even have time to talk. The two pilots both need to be doing their jobs and doing it well.

So Mr. Bedford has also signaled an openness to something else I have concern about, green-lighting a single pilot on commercial flights. This is a real issue. The FAA’s European civil aviation authority counterpart EASA is thinking about certifying extended single pilot operations on commercial aircraft. That means it is being debated in Europe and could be debated in other places. That is right; they are debating whether to have just one pilot on a long-haul flight.

In 2019, when Mr. Bedford was discussing the emerging technologies underpinning single pilot operations, he said:

Does it work? It works. Can it work highly, reliably, and safely? I think it can.

Well, you don’t have to be an expert in understanding the risk of flying with just one pilot. In the past, aviation incidents have been documented by the NTSB—the National Transportation Safety Board—and they have cited that pilot incapacity or mental health emergencies as justifications for requiring two pilots on a commercial flight.

I don’t care how good the technology is; if an emergency happens, we need two well-trained pilots on the flight deck at all times. Mr. Bedford has been given many opportunities to talk about these past statements and how he sees the world. But again, he did not do so.

When his company sought an exemption from the 1,500-hour rule in 2022, they championed diversity initiatives, saying they would have “no adverse impact on safety.” But when asked by Senator LUJÁN at the committee if he thought so-called “DEI” policies contributed to the collision near DCA earlier this year—which President Trump baselessly alleged—Mr. Bedford said he had “no earthly idea.” This inconsistency is troubling.

So we need to make sure that we are selecting a nominee who has a track

record of supporting a proactive FAA. Mr. Bradbury, the Deputy Transportation Secretary, is implementing “10-for-1” policies—meaning Agencies must eliminate 10 regulations for every new one. DOT officials can now face disciplinary action if they don’t comply with the administration’s decision not to enforce certain regulations. The Washington Post has characterized this move as “a chilling effect on enforcement.” And as I said earlier, DOT inspectors and investigators will fear that they could be fired just for doing their job ensuring the safety of the flying public.

We don’t, Mr. President, need a light touch. We need to make sure that while industry concerns are heard, they shouldn’t be the dominant factor. The FAA needs to implement the gold standard for aviation safety.

There are many critical tasks ahead, including implementing a safety management system at the FAA and ensuring that Boeing, after the 737 MAX crashes, also implements its required safety management system. I want to make sure that an Administrator is not going to try to halt that rule, but will get that rule implemented, so that we know that manufacturing and the FAA are making the flying public safer every day by doing their jobs properly.

So, Mr. President, I ask my colleagues to please reject the nomination of Mr. Bedford. I think we need an FAA Administrator who makes really tough decisions that put the priority of the flying public first.

I yield the floor.

The PRESIDING OFFICER (Mr. CURTIS). The Senator from Texas.

CENTRAL TEXAS FLOODS

Mr. CORNYN. Mr. President, it is with profound sadness that I am here with my colleague Senator CRUZ to discuss the heartbreaking results of the catastrophic floods that occurred in our State, in Central Texas, over the Fourth of July weekend.

As most Texans were sleeping on the morning of July 4, a 100-year flood event caused the waters of the Guadalupe River to rise an astonishing 26 feet in 45 minutes. The loss of life was horrific. One media account said the flow rate of the Guadalupe River went from that of a small stream that you could wade across, at about 10 cubic feet per second, to a raging and destructive torrent of 120,000 cubic feet per second—an amount greater than the average flow rate across Niagara Falls.

We know that the loss of life was not confined to Kerr County, where Kerrville is located, but extended to other counties in Central Texas: Travis County, which is where Austin is located; Williamson County, just north of that; and Burnet County as well.

Of course, some here in the Nation’s Capital and elsewhere are asking: How could this happen, and what, if anything, could we possibly do to prevent a recurrence? We can and we should try to answer those questions but not now. Now we need to focus on recovery ef-

forts that are currently underway and to pray for and to think about the families that are grieving and those whose loved ones are still missing and unaccounted for. For now, I want to focus our attention on the victims and the heroes of this horrible tragedy.

More than 100 people died in Central Texas from this flooding, including 27 young campers—young girls mostly—ranging down to the age of 8 years old, as well as counselors at Camp Mystic, which we have heard so much about, a Christian girls summer camp.

This is a picture of Camp Mystic that I took from a department of public safety helicopter on Saturday morning. It is hard to see, but this is what it looked like from the air.

Ten campers and one counselor are still missing and remain unaccounted for in Kerr County.

As you can imagine, this is a sad time for Texas, and it has brought the Lone Star State to our knees in grief and in prayer. And I am glad to say I have heard so much—and I am sure my colleague has as well—from friends and associates all around the United States sharing their condolences and concerns about what has happened over this last weekend.

While I was in Kerrville this last Saturday, I participated in an aerial tour, as I mentioned, and a car tour of the flooded areas. The damage I witnessed was nothing short of devastating, and this photo shows just some of the destruction that I witnessed there on the ground.

Bridges were washed out. Roads were destroyed. Entire homes were washed down the river. Trees were uprooted, and cars and other wreckage lodged nearly 30 feet up in the air in the trees.

I joined U.S. Department of Homeland Security Secretary Noem, who was there representing the Trump administration, Governor Abbott and Representative CHIP ROY—his district is where this incident is located—and other community leaders for a briefing and a press conference to discuss the combined government response to this disaster from Washington, DC, to the State to local officials.

During this briefing, Governor Abbott described people clinging to trees to save their lives. And I am sure by now, we have seen photos that are circulating on social media that show exactly that—people washed miles down the river, only to be lodged in the trees for extended periods of time, hoping and praying that someone would come to their aid.

I am beyond grateful to the efforts of Governor Abbott, President Trump, and Secretary Noem for their quick response in approving a Federal disaster declaration and ensuring that every available resource is being put forward in the rescue and recovery efforts throughout central Texas.

President Trump and Secretary Noem have been great partners, and I especially appreciate the efforts of the U.S. Coast Guard and the Federal Emergency Management Agency.