

Congress of the United States
Washington, DC 20515

June 21, 2019

The Honorable Daniel K. Elwell
Acting Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Acting Administrator Elwell,

We write to you with renewed concerns about non-essential helicopter flights over New York City's densely populated neighborhoods in light of the June 10, 2019 crash. As you know, earlier this month, an Agusta A109E helicopter owned by American Continental Properties LLC crashed on the roof of the AXA Equitable Building, killing the pilot and igniting a dangerous fire that caused a full building evacuation. Since 1982, we've had at least 30 helicopter crashes in New York City, with at least 25 fatalities, according to National Transportation Safety Board records. We believe it is time to end non-essential helicopter flights over our city and for the Federal Aviation Administration (FAA) to immediately issue Temporary Flight Restrictions (TFRs) instituting these safety restrictions.

According to published reports, the helicopter pilot involved in the June 10 crash was not certified to fly in bad weather.¹ Although the weather was stormy, and visibility was poor, the pilot was still permitted to take off from the 34th Street heliport. The pilot then proceeded into restricted air space near Trump Tower where he crashed on the roof of the AXA Equitable building, that led to his death and caused a fire. Although the helicopter flight ended tragically for the pilot, it could have been far worse had the plane crashed onto the busy Midtown street below or into a building.

As you know, New York City has one of the highest rates of helicopter use in the world.² Furthermore, New York City is one of the most densely populated cities in the United States, exponentially increasing the potential dangers of a helicopter accident in our city. The number of helicopter flights over New York City creates intolerable risks to the community and negative impacts on the quality of life of all its residents. There is no justification for allowing tourists to joy-ride through our skies, endangering people below and adding to the heavy burden of noise pollution residents already endure. Commuter helicopter flights impose risks to the community that far outweigh any benefits to the very small number of people who use them.

In recent years, there have been multiple helicopter accidents in our city, many of them fatal. Some of the best known include:

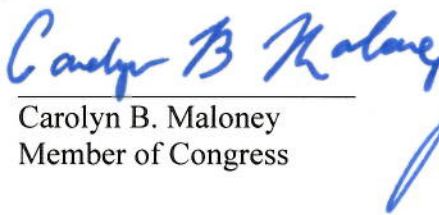
¹ Collman, A. (2019, June 11). FAA officials say the helicopter pilot who died after crashing on top of a New York City skyscraper should not have been flying. Retrieved from <https://www.businessinsider.com/helicopter-pilot-timothy-mccormack-shouldnt-have-been-flying-faa-2019-6>

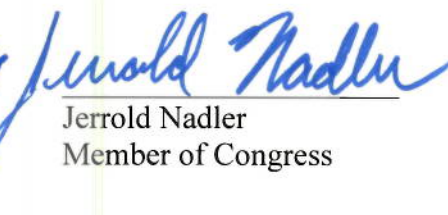
² Federal Aviation Administration. (2004). Report to Congress: Nonmilitary Helicopter Urban Noise Study (pp. 2-2, Rep.). Federal Aviation Administration. doi:https://www.faa.gov/regulations_policies/policy_guidance/envir_policy/media/04Nov-30-RTC.pdf

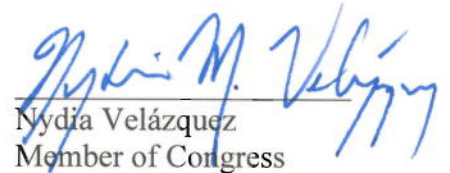
- October 4, 2011: A helicopter crashed in the East River, killing a woman
- August 8, 2009: A Liberty Helicopter flight crashed into a small plane over the Hudson River, killing 9 people
- July 7, 2007: A Liberty Helicopter unexpectedly dropped 500 feet into the Hudson River
- June 17, 2005: A corporate helicopter crashed into the East River
- June 14, 2005: A tourist flight plunged into the East River shortly after takeoff, resulting in one serious injury
- April 15, 1997: A corporate helicopter crashed into the East River, killing a Colgate-Palmolive executive and injuring a second passenger and the pilot


After the fatal crash on top of the Pan Am Building in 1977 that killed five people, the FAA took the wise precaution of banning helipads in New York City. But unfortunately, with all of these recent incidents, the FAA has failed to sufficiently act. We are asking you to look at the history of fatal crashes and near escapes and to take immediate action to ban all non-essential helicopter flights and immediately institute TFRs on helicopter flights over New York City. It is within the FAA's authority to issue this TFR, and we urge the FAA to act without delay.


Very truly yours,


 Carolyn B. Maloney
 Member of Congress



 Jerrold Nadler
 Member of Congress



 Nydia Velázquez
 Member of Congress



 Adriano Espaillat
 Member of Congress


 Kathleen M. Rice
 Member of Congress


 Grace Meng
 Member of Congress


 Thomas R. Suozzi
 Member of Congress


 Eliot L. Engel
 Member of Congress


 José E. Serrano
 Member of Congress

cc:
 The Honorable Andrew M. Cuomo, Governor of New York State
 The Honorable Phil Murphy, Governor of New Jersey
 The Honorable Bill de Blasio, Mayor of the City of New York