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## CONGRESSMAN ED CASE REMARKS ON “SAFE AND QUIET SKIES ACT”

Madam Speaker:

Today I am re-introducing my Safe and Quiet Skies Act from the 116th Congress to ensure that commercial air tour flights are adequately regulated to ensure in-air and on-ground safety and address widespread and accelerating community disruption. I extend a special thanks to my colleagues, Congressmembers Nadler, Neguse, Norton, Sherman and Sires, for cointroducing this necessary measure.

In 2019 alone, there were 17 sightseeing tour flight and skydiving accidents nationwide with 37 tragic deaths from six of those crashes. In my Hawai‘i alone, we saw three dead in the crash of a commercial air tour helicopter into a residential neighborhood, eleven more dead in the crash of a commercial skydiving plane, and then seven more dead in a commercial air tour helicopter crash in a remote mountain region. Many other areas of the country have been equally impacted, especially those with high commercial usage, more dense populations, valuable natural resources, significant defense installations and other factors.

These tragedies occurred amidst a rapid increase in commercial helicopter and small plane overflights including residential, commercial and industrial neighborhoods, cemeteries and memorials, land and marine parks and other recreation areas, and sensitive military installations. These have disrupted whole communities with excessive noise and other impacts, destroyed the peace and sanctity of special places, increased risk to not only passengers but those on the ground, and weakened security and management of defense operations.

The Federal Aviation Administration (FAA) currently has virtually exclusive jurisdiction over these aircraft operations. Following these and other recent tragedies across the country, the National Transportation Safety Board (NTSB), which is responsible for investigating accidents but not for direct safety regulation, strongly recommended to the FAA that safety-related regulation of

commercial tour helicopters and small aircraft skydiving operations is generally insufficient.

Regarding ground disruption and risk, the FAA takes the position that its responsibility is strictly operational safety and national airspace efficiency and does not extend to ground disruption and other negative impacts. As a result, the operators, aside from strict takeoff and approach, avoidance of established flight paths and other limited circumstances, are virtually free to fly wherever, whenever and as often as they want. And they do, with little to no self-regulation.

This situation is unacceptable for both safety and community impact concerns. It is also not limited to Hawai'i, with growing concerns in other areas with high commercial tour usage, more dense populations, valuable natural resources, significant defense installations and other factors.

This bill would first require the FAA to implement the NTSB's recommended enhanced safety regulations. It would also prohibit flights over federal property that requires privacy, dignity and respect, to include military installations, national cemeteries and national parks, wildlife refuges and wilderness. It would further require the use of standard equipment to monitor the location of flights, apply the "sterile cockpit rule" to tour flights (meaning in part that the pilot could not also be the tour guide), prohibit flights lower than 1,500 feet over actual ground, and limit decibel levels to those commonly applied to operations in residential areas. Additionally, the bill would allow states, localities, and tribes to impose stricter regulations on tour flights in their jurisdictions with required public engagement.

I look forward to working with my colleagues to pass this bill into law. Thank you.

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