

United States Senate

June 4, 2020

VIA ELECTRONIC DELIVERY

The Honorable Mark Esper
Secretary of Defense
U.S. Department of Defense
1000 Defense Pentagon
Washington, DC 20301-1300

Dear Secretary Esper:

I write to express deep concern about the reports of low-flying military aircraft over large groups of people in the Washington, DC area on the evening of Monday, June 1, 2020. I understand that both you and Major General William Walker, Commander of the District of Columbia National Guard (DCNG) have ordered investigations into this matter. I request a personal brief, in person or over the telephone as appropriate, regarding information on these military operations from the U.S. Department of Defense (DoD) and the DCNG.

In order to understand the scope of these military operations and identify any undue risk posed to U.S. citizens, I ask that the following questions be answered no later than June 30, 2020, accompanied with all appropriate documentation of the investigations. To the extent a question refers to the military, the question shall be interpreted to cover all of DoD's military branches and sub-agencies, including Reserve and National Guard forces.

1. What military aircraft conducted low-hover operations over large, open-air gatherings of people in Washington, DC on the evening of Monday, June 1, 2020?
2. At what location and hover altitude did these aircraft operate over large groups of people?
3. What are the parent units of the aircraft identified in the investigations?
4. What are the qualification levels of the pilots operating these aircraft, how much flight time do they have operating in the National Capitol Region Special Flight Rules Area, to include the DC Metropolitan Flight Restricted Zone, and how much flight time do they have operating rotary-wing aircraft?
5. To what missions were these aircraft assigned?
6. Who authorized the missions?
7. Who authorized the flight operations, if different than the mission authorizer?

8. What were the risk assessments of these missions?
9. Were military tactics used at any time during the duration of the missions? If so, what were they?
10. What was the justification for hovering at low-levels over large gatherings of people?
11. Was there a separate risk assessment conducted for the low-level hover operations? If so, what was the level of risk determined to be?
12. In the event of an engine failure or other catastrophic engine or mechanical failure to the aircraft, what was the pilot's intended course of action, pre-determined flight path and was that pre-briefed to the aircrew?
13. Were there any injuries to people or property damage as a result of the rotor wash from the helicopters hovering at low-levels?
14. Did the military aircraft comply with Federal Aviation Regulation (FAR) 91.119 at all times during their missions?
15. Were the military aircraft exempt from FAR 91.119, and if so, why?
16. Did component-specific aviation policy govern the use of low-level or hover operations over people? If so, what is that component-specific policy?
17. Were there any violations of Federal law, regulation, or policy?
18. Were there any violations of DoD or component-specific aviation policy or regulations?

Your support in addressing these concerns is essential to understanding the impacts of these high-risk rotorcraft maneuvers. The safety of people and property, and the safe operation of military aircraft at all times, is of the utmost importance. Thank you in advance for your consideration of my request.

Sincerely,



Tammy Duckworth
United States Senator