

United States Senate

WASHINGTON, DC 20510

June 9, 2025

The Honorable Mitch Behm
Acting Inspector General
U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, D.C. 20590

Lieutenant General Gregory J. Brady
Inspector General
Department of the Army
8825 Beulah St.
Ft. Belvoir, VA 22060-5246

Dear Mr. Behm and Lieutenant General Brady:

On Tuesday, March 11, the National Transportation Safety Board (NTSB) released a preliminary report regarding the January 29, 2025 collision between American Airlines flight 5342, operated by PSA Airlines, and a U.S. Army Black Hawk helicopter, operated by The Army Aviation Brigade stationed at Davison Army Airfield at Fort Belvoir, Virginia that resulted in 67 fatalities.¹ Along with the report, the NTSB released two urgent safety recommendations aimed at deconflicting fixed-wing and rotorcraft traffic in the National Capital Region (NCR).² The NTSB also released data showing that, from October 2021 through December 2024, there were 15,214 close proximity incidents between commercial aircraft and helicopters involving a lateral separation of less than one nautical mile and a vertical separation of less than 400 feet.³

Despite these findings and the tragedy in January, on May 1, less than a week after resuming operations in the NCR,⁴ an Army Black Hawk helicopter flying a training mission to the Pentagon, also operated by The Army Aviation Brigade, aborted a landing at the Pentagon Heliport and caused DCA air traffic control to issue go-around orders to two commercial aircraft on final approach.⁵ The Army Aviation Brigade later suspended operations pending an internal review.⁶

¹ NAT'L TRANS. SAFETY BD., AVIATION INVESTIGATION PRELIMINARY REPORT (Mar. 11, 2025), <https://www.nts.gov/investigations/Documents/DCA25MA108 Prelim.pdf>.

² NAT'L TRANS. SAFETY BD., DECONFLICT AIRPLANE AND HELICOPTER TRAFFIC IN THE VICINITY OF RONALD REAGAN WASHINGTON NATIONAL AIRPORT (Mar. 7, 2025), <https://www.nts.gov/investigations/AccidentReports/Reports/AIR2501.pdf>.

³ *Supra* note 1.

⁴ Information provided to the Committee from Department of Army.

⁵ Greg Allen, *Army Black Hawk Helicopter Forces 2 Jetliners to Abort Landings at DCA*, NAT'L PUB. RADIO (May 3, 2025), <https://www.npr.org/2025/05/03/nx-s1-5385802/dca-army-black-hawk-helicopter-airlines-abort-landings>.

⁶ Rojoef Manuel, *Pentagon Halts Army Helicopter Flights in Virginia*, THE DEFENSE POST (May 6, 2025), <https://www.thedefensepost.com/2025/05/06/pentagon-halts-helicopter-flights/>.

Following the horrific accident at DCA that claimed 67 lives and the subsequent discovery of known safety gaps, we request that the Office of the Inspector General of the Department of the Army (Army OIG) and the Acting Inspector General of the U.S. Department of Transportation (DOT OIG) initiate concurrent audits investigating the concerns noted below.

The Department of Transportation's Federal Aviation Administration (FAA) is tasked with ensuring the safety of United States airspace. The DOT OIG audit should assess the FAA's oversight and management of existing aviation safety gaps, its analysis of data on loss of separation incidents, its design and management of airspace and flight routes around DCA, and should review the role and effectiveness of the DC Helicopter Working Group. The audit should also determine whether FAA's decisions regarding airspace design failures contributed to the accident at DCA—including any FAA actions to reduce required separation margins—and assess FAA's oversight and enforcement of ADS-B Out exemptions utilized by relevant Federal agencies to determine if such exemptions have been granted and used appropriately, particularly in Class B airspace.

The Army OIG audit should address the Army's coordination with the Federal Aviation Administration during NCR operations, pilot training and qualification standards in the NCR, the Army's policy on ADS-B equipage, usage, and activation, maintenance protocols for UH-60 Black Hawk helicopters operated by the Army Aviation Brigade, compliance with the Letter of Agreement between the Army and FAA regarding flight operations in the NCR, and the Army's review of loss of separation incidents involving its rotorcraft in the NCR along with possible mitigations to prevent future mishaps.

Both audits should specifically address whether improved FAA and Army procedures, communication systems, or adherence to existing protocols would increase aviation safety in the NCR.

Thank you for your attention to this matter. If you have any questions, please contact Andrew Miller on Chairman Cruz's staff at Andrew_Miller@commerce.senate.gov and Gabrielle "Gigi" Slais on Ranking Member Cantwell's staff at gabrielle_slais@commerce.senate.gov.

Sincerely,



Ted Cruz
Chairman
U.S. Senate Committee on Commerce
Science and Transportation



Maria Cantwell
Ranking Member
U.S. Senate Committee on Commerce
Science and Transportation



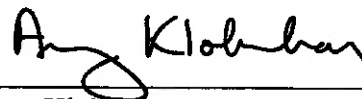
Rand Paul, M.D.
Chairman
U.S. Senate Committee on Homeland
Security and Governmental Affairs



Gary Peters
Ranking Member
U.S. Senate Committee on Homeland
Security and Governmental Affairs



Jerry Moran
United States Senator



Amy Klobuchar
United States Senator



Marsha Blackburn
United States Senator



Brian Schatz
United States Senator



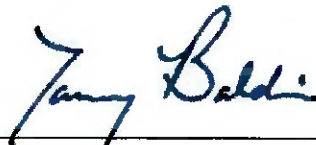
Todd Young
United States Senator



Ed Markey
United States Senator



Ted Budd
United States Senator



Tammy Baldwin
United States Senator



Eric Schmitt
United States Senator



Tammy Duckworth
United States Senator



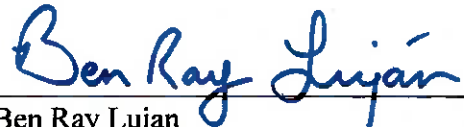
John Curtis
United States Senator



Jacky Rosen
United States Senator



Tim Sheehy
United States Senator



Ben Ray Lujan
United States Senator



Shelley Moore Capito
United States Senator



John Hickenlooper
United States Senator



Cynthia Lummis
United States Senator



John Fetterman
United States Senator



Andy Kim
United States Senator



Lisa Blunt Rochester
United States Senator