

Congress of the United States
Washington, DC 20515

February 6, 2023

The Honorable Pete Buttigieg
Secretary
U.S. Departments of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

The Honorable Billy Nolan
Acting Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Secretary Buttigieg and Acting Administrator Nolan:

I write you in regard to the Federal Aviation Administration's (FAA) issuance of a ground stop on February 4, 2023, at the Wilmington (ILM), Myrtle Beach (MYR), and Charleston (CHS) International Airports as the Chinese surveillance balloon moved freely across our nation and into North Carolina and South Carolina.

I understand the ground stop issuance was in support of a Department of Defense (DOD) national security effort in response to the breach of U.S. airspace. Over the past several years, Chinese surveillance activity of this nature has been observed, while the path of the surveillance devices have carried over a number of sensitive national security sites. Make no mistake, the first priority of the U.S. should be to protect against all foreign threats, and that includes stopping foreign intelligence collection of sensitive information. Nevertheless, when faced with these challenges, the FAA should have proper protocol in place to reduce the impact on commercial aviation and passengers.

Following the Southwest Airlines mass flight cancellations in December 2022, the recent Notice to Air Missions (NOTAM) system outage, and the increase in flight delays and cancellations across the nation, an additional instance of grounded flights and uncertainty for airline passengers causes hesitation and deep concern for Americans expecting reliable travel logistics. I believe more must be done to ensure the United States remains the gold standard in aviation.

Accordingly, I request a written response detailing the specifics of the FAA's ground stop issuance of the above listed airports on February 4, 2023, the protocols in place related to commercial aviation when U.S. airspace has been breached by a foreign entity, as well as a proposed course of action if this type of security breach were to occur again. Please provide written responses to the following questions:

1. Is there proper protocol in place for U.S. airports when foreign surveillance equipment is in close proximity?
2. If so, what is the proper protocol and was it effectively communicated with ILM, MYR, and CHS?
3. What was the proximity of the surveillance balloon to the three airports' airspace when the ground stop was ordered? Was there a risk to passenger safety?
4. After the ground stop issuance and subsequent lift, did the FAA perform a safety assessment to determine the potential safety implications?

5. What was the scope of impact? How many commercial flights and passengers were directly impacted by delays and canceled flights and how many flights and passengers were delayed by indirect issues relating to ripple effects? Additionally, please provide an estimated cost to commercial airlines and passengers due to the delays resulting from the issuance.
6. Is there a plan to update the proper protocol for U.S. airports when foreign surveillance equipment breaches U.S. airspace in close proximity to an airport?

I appreciate your swift and thorough response to these questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tommy', with a long, sweeping horizontal line above it.

Thomas H. Kean, Jr.
Member of Congress