Dear Administrator Dickson and Manager Bond,

I write to you regarding the hot air balloon industry in New Mexico, which as you know hosts the largest balloon festival in the world every year. This festival has been a proud New Mexico tradition since 1972; this October the Albuquerque International Balloon Fiesta will be celebrating its 50th year, with 600 or more hot air balloons taking to the sky. The economic impact of this festival and the hot air balloon industry provides millions of dollars from tourism and supports stable jobs for the community.

Unfortunately, recent enforcement of Federal Aviation Administration (FAA) rules (14 CFR § 91.225) poses a significant threat to the hot air balloon industry. Under these rules, hot air balloons are required to install an Automatic Dependent Surveillance-Broadcast (ADS-B) device, or they are prohibited from entering Class C airspace areas. This rule prevents hot air balloons from operating over Albuquerque airspace during the festival, as they have done so for 50 years. It is troubling that this rule was only recently enforced in the Albuquerque area, many months after its original implementation in January of 2020. Furthermore, hot air balloons are currently unable to comply with this rule, as the FAA has not issued guidance procedure for permanent installation of an ADS-B on a hot air balloon. Lastly, it is concerning to hear that Albuquerque Air Traffic Control has not responded to good faith attempts by local stakeholders to reach an amicable agreement for hot air balloon operations, as have been successfully implemented in Colorado Springs, Colorado.

I understand these changes have been made in the name of increased safety, however, the Balloon Fiesta as well as the hot air balloon industry have long been focused on creating a safe environment for ballooners and guests and has an excellent record to show for it. As I’m sure the FAA is aware, hot air balloons are not known for their speed, and are usually very large and colorful, therefore posing a minimal flight safety risk to other aircraft in general.
It is clear that further steps and considerations are needed to ensure that every stakeholder can comply with the regulations and is able to continue operations. In this case, the hot air balloon industry faces the prospect of abandoning a storied state tradition close to the hearts of New Mexicans. It is vital that this tradition be preserved in its entirety and thrive for generations to come.

Respectfully, I ask that:

1) A waiver for the Albuquerque International Balloon Festival be approved for its forthcoming 50th celebration in October

2) The FAA provide guidance for permanent attachment of ADS-B devices on hot air balloons so that they may comply with 14 CFR § 91.225 and are able to fly year-round without a waiver

3) Albuquerque ATC meet with myself, staff, and local stakeholders to begin a conversation on reaching an amicable agreement for flight operations in the area.

Sincerely,

Yvette Herrell,
Member of Congress
New Mexico, Second Congressional District