



BILLING CODE P4910-13

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA-2025-2635; Airspace Docket No. 25-AWA-5]

RIN 2120-AA66

Establishment of Prohibited Area P-75; New York, NY

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Prohibited Area 75 (P-75) in the vicinity of the New York, NY, residence of the President of the United States. The United States Secret Service (USSS) requested FAA restrict aircraft operations in the vicinity of President Trump's New York residence. To provide adequate safeguards for the USSS to fully secure the non-Governmental property and protect USSS protectees in the interest of national security, FAA is proposing to establish a prohibited area in the immediate vicinity of the presidential residence.

DATES: Comments must be received on or before **[INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES:

Send comments identified by FAA Docket No. FAA-2025-2635 and Airspace Docket No. 25-AWA-5 using any of the following methods:

- **Federal eRulemaking Portal:** Go to www.regulations.gov and follow the online instructions for sending your comments electronically.

- Mail: Send comments to Docket Operations; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue, SE, Room W58-213, West Building 5th Floor, Washington, DC 20590-0001.
- Hand Delivery or Courier: Take comments to Docket Operations in Room W58-213 of the West Building 5th Floor at 1200 New Jersey Avenue, SE, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- Fax: Fax comments to Docket Operations at (202) 493-2251.

Docket: Background documents or comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Brian Vidis, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

FAA proposes to add a regulation to Title 14 of the Code of Federal Regulations (14 CFR) part 73, subpart C to establish a prohibited area in the vicinity of Trump Tower in New York, New York. The prohibited area is necessary according to the United States Secret Service (USSS) to protect the President, secure the non-Governmental property in

accordance with the Presidential Protection Assistance Act of 1976, and exercise its authority under 18 U.S.C. 3056(a).¹

Proposed § 73.95 would create Prohibited Area P-75 (P-75). P-75 would prohibit aircraft operations from the surface to 1,000 feet above ground level (AGL) beginning at lat. 40°45'52"N., long. 073°57'11"W.; then counterclockwise along an arc with a 1 nautical mile (NM) radius centered at lat. 40°45'46"N., long. 073°58'30"W.; to lat. 40°44'48"N., long. 73°58'09"W., with a straight line to the point of beginning. In other words, P-75 would cover a circle with a 1 NM radius centered on Trump Tower and with a flat edge on the southeast side that parallels the East River. Aircraft operations would not be permitted within P-75 unless the using agency, which would be USSS, granted authorization to enter the area.²

II. Authority for this Rulemaking

FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft, the efficient use of airspace, and protecting individuals and property on the ground. In addition, 49 U.S.C. 44701(a)(5) charges FAA with promoting safe flight of civil aircraft by prescribing regulations and minimum standards for cybersecurity and other practices,

¹ Pub. L. 94-524 (Oct. 17, 1976) enabling the President to designate one non-governmental property to be fully secured by the USSS on a permanent basis.

² 14 CFR 73.83 states that "No person may operate an aircraft within a prohibited area unless authorization has been granted by the using agency."

methods, and procedures FAA finds necessary for safety in air commerce and national security. This regulation is within the scope of that authority as it would establish prohibited area airspace in the vicinity of New York, NY, to protect persons and property on the ground and to enhance national security.

III. Background and Proposed Rule

FAA has prohibited the operation of aircraft in the vicinity of seven presidential and vice presidential residences in the interest of national security by establishing a prohibited area pursuant to 14 CFR part 73. Prohibited areas are designated when necessary to prohibit all flight within an area, except in very limited circumstances, in the interest of national security. No person may conduct operations within a prohibited area without the permission of the using agency.³ FAA has established prohibited areas in the vicinity of the following former presidential and vice presidential residences:

- On February 18, 1969, FAA established P-29 in the vicinity of Key Biscayne, Florida.⁴ USSS had requested FAA establish the prohibited area for the security of the President, who had a residence in Key Biscayne. One concern was that public interest in the President may attract numerous aircraft over the residence for sightseeing and photographic purposes. The prohibited area provided for the protection of the President and property on the ground. FAA prohibited operations within 1 nautical mile (NM) radius from the surface up to 18,000 feet above mean sea level (MSL). FAA was the using agency. FAA

³ Under § 73.85 the using agency is the agency, organization, or military command that established the requirements for the prohibited area.

⁴ 34 FR 2306 (Feb. 18, 1969).

revoked the prohibited area on September 3, 1974, shortly after President Nixon left office because the conditions that had prompted the prohibited area no longer existed.⁵

- On June 23, 1969, FAA established P-25 in the vicinity of San Mateo, California to provide adequate safeguards for the protection of the President and persons or property on the ground.⁶ The prohibited area was established for the security of the President and because the public interest in the President might attract numerous aircraft over the Presidential residence for sightseeing and photographic purposes. FAA prohibited operations within a 1 NM radius from the surface to 4,000 feet MSL. FAA was the using agency. FAA revoked the prohibited area on September 3, 1974, shortly after President Nixon left office because the conditions that had prompted the prohibited area no longer existed.⁷
- On February 18, 1977, FAA established P-77 in the vicinity of Plains, Georgia.⁸ The prohibited area was established due to the interest the President's residence may attract for sightseeing and photographic purposes. To provide adequate safeguards for the President and persons or property on the ground, FAA prohibited operations within 1 NM radius from the surface up to 1,500 feet MSL. FAA was the using agency. FAA revoked the prohibited area

⁵ 39 FR 32325 (Sep. 6, 1974).

⁶ 34 FR 9854 (Jun. 26, 1969).

⁷ 39 FR 32325 (Sep. 6, 1974).

⁸ 42 FR 142 FR 11826 (Mar. 1, 1977); 42 FR 12168 (Mar. 3, 1977).

effective May 5, 1988, after President Carter left office, as USSS had notified the FAA that national welfare and security no longer required the prohibited area.⁹

- On January 20, 1981, FAA established P-65 in the vicinity of Pacific Palisades, California, and P-66 in the vicinity of Rancho del Cielo, California, based on USSS's request.¹⁰ FAA prohibited operations within 1 NM radius from the surface to 1,000 feet above ground level (AGL) in both areas. The purpose of the prohibited areas was to enhance the level of security for the President by prohibiting unauthorized flights of aircraft over and in the immediate vicinity of presidential residences. The vertical and lateral limits of the areas were designed to impose the minimum burden upon the public while still providing acceptable security restraints. FAA was the using agency. On July 27, 1981, FAA revoked P-65 because USSS determined a prohibited area was no longer required.¹¹ Effective October 23, 1986, P-66 was expanded laterally and vertically due to the USSS's determination that this expansion was necessary to enhance the level of security provided to the President.¹² The area was subdivided into P-66A and P-66B as follows: P-66A from the surface to 4,000 feet MSL and P-66B from 4,000 feet MSL up to but not including 5,000 feet MSL. P-66B was activated by notice to airmen (NOTAM). FAA revoked the prohibited areas on June 1, 1989, shortly after President Reagan left office.¹³ The FAA's

⁹ 53 FR 3010 (Feb. 3, 1988).

¹⁰ 46 FR 3499 (Jan. 15, 1981).

¹¹ 46 FR 38345 (Jul. 27, 1981).

¹² 51 FR 30208 (Aug. 25, 1986).

¹³ 54 FR 13517 (Apr. 4, 1989).

revocation was based on the USSS's indication that the prohibition was no longer required for national welfare or security purposes.¹⁴

- On November 26, 1981, FAA established P-67 in the vicinity of Kennebunkport, Maine. FAA prohibited operations within 1 NM radius from the surface to 1,000 feet MSL.¹⁵ The establishment of P-67 was based on USSS's request to prohibit the unauthorized flight of aircraft in the immediate vicinity of the Vice President's residence. The using agency was FAA. P-67 is still in effect at the time of the publication of this proposed rule.
- On May 17, 2001, FAA established P-49 in the vicinity of Crawford, Texas, in response to a USSS request.¹⁶ The purpose of the prohibited area was to enhance the level of security provided to the President, who had a residence in that area. FAA prohibited operations within a 3 NM radius from the surface up to 5,000 feet MSL. USSS was the using agency. Effective February 16, 2010, FAA reduced the boundary and altitude dimensions of the prohibited area from a 3 NM radius to a 2 NM radius and from 5,000 feet MSL to 2,000 feet MSL.¹⁷

The USSS determined that the larger restriction was no longer necessary.

On September 16, 2025, USSS requested that FAA establish a "permanent flight restriction under 14 CFR 99.7 to ensure the safety and security of our protectee" in the vicinity of the Trump Tower "due to adverse threat intelligence and the ongoing protective mission of the USSS."¹⁸ Moreover, USSS stated it would "greatly increase the

¹⁴ Id.

¹⁵ 46 FR 47065 (Sep. 24, 1981).

¹⁶ 66 FR 16391 (Mar. 26, 2001).

¹⁷ 75 FR 15992 (Mar. 31, 2010).

¹⁸September 16, 2025 Letter from Sean M. Curran, Director, United States Secret Service, to Bryan Bedford, Administrator, FAA. A copy of this letter has been placed in the docket for this rulemaking.

ability to mitigate the persistent risk posed by unauthorized aircraft and unmanned aircraft systems (UAS) operating in the proximity.” USSS also requested that the restriction be published in the *Federal Register* and charted to ensure compliance. This action responds to that request.

On October 20, 2025, FAA issued a Special Security Instruction (SSI) flight restriction, under 14 CFR § 99.7, that temporarily restricts all flight operations in the vicinity of the presidential residence at New York, NY.¹⁹ The SSI flight restriction is set to expire on October 20, 2026. The SSI extends from the surface to 1,000 feet AGL. The SSI covers an area beginning at 40°45'53"N., long. 073°57'11"W., then counterclockwise along a 1 nautical mile (NM) arc centered at lat. 40°45'46"N., long. 073°58'30"W.; to lat. 40°44'48"N., long. 073°58'09"W.; to the point of beginning. Under the § 99.7 SSI flight restriction, aircraft cannot enter the airspace unless 1) they have authorization from ATC and or are on an air traffic control (ATC) instrument flight rules (IFR) plan with a discrete code assigned by ATC, 2) are squawking the discrete code prior to departure and at all times while in the TFR, and 3) in two-way radio communication with ATC.

Under 49 U.S.C. 40103(b) and in compliance with the Administrative Procedure Act (APA), 5 U.S.C. 551 et seq., FAA can designate airspace through a rulemaking. In addition, FAA charts permanent flight restrictions established through rulemaking providing enhanced public awareness; whereas, temporary SSI flight restrictions are not charted. The enhanced public awareness in turn provides a higher level of security. This proposed rule would make the area covered by the SSI flight restriction a permanent prohibited area that is in effect continuously. Under 14 CFR § 73.83, no person may

¹⁹ A copy of the SSI has been placed in the docket.

operate an aircraft within a prohibited area without permission from the using agency.

Although the prohibited area is more restrictive than the § 99.7 SSI in wording, there are few, if any, practical differences.

FAA is proposing an amendment to 14 CFR part 73 to establish Prohibited Area P-75, New York, NY. This rule would apply to all persons seeking to operate in the area defined in 14 CFR 73.95. The breadth of applicability is necessary in the interest of national security and to ensure the USSS ability to secure the non-Governmental property. The prohibited area would extend from the surface to 1,000 feet AGL, and would be defined as an area beginning at lat. 40°45'52"N., long. 073°57'11"W.; then counterclockwise along an arc with a 1 nautical mile (NM) radius centered at lat. 40°45'46"N., long. 073°58'30"W.; to lat. 40°44'48"N., long. 73°58'09"W.; with a straight line to the point of beginning.²⁰ In other words, P-75 would cover a circle with a 1 NM radius centered on Trump Tower and with a flat edge on the southeast side that parallels the East River.²¹ Flight within this area would be prohibited unless permission is obtained from the using agency, which would be USSS.

The size of the proposed prohibited area is based on discussions between FAA and USSS and meets security needs while minimizing impact on operators and the general public. Specifically, in its coordination with USSS, FAA sought to ensure minimal impact on helicopter operations and other operations that are routinely conducted along the Hudson and East River corridors. FAA specifically carved out an area over the East River that is within a 1 NM mile of Trump Tower to allow helicopter

²⁰ The beginning point of the proposed prohibited area is one second in latitude different from the SSI beginning point to account for a rounding error, but the proposed prohibited area and SSI cover essentially the same space.

²¹ A geographical depiction has been placed in the docket.

operations along the East River to continue. The SSI flight restriction and proposed prohibited area achieve the objective of maintaining the efficient flow of air traffic while also meeting the security requirements associated with USSS's request. FAA constructed the SSI flight restriction and proposed prohibited area in a way that avoids typical aircraft routes. Only law enforcement helicopters, air ambulance aircraft, and unmanned aircraft systems operated in this area before the SSI flight restrictions became effective on October 20, 2025. Additionally, per 14 CFR 73.83, if authorization has been granted by the using agency, which is USSS in this case, aircraft could still gain access to the area.

Regulatory Notices and Analyses

Regulatory Flexibility Act

FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Order 2100.6B, "Rulemaking and Guidance Procedure" (March 10, 2025); and (3) is anticipated to have a minimal economic impact, as it only affects air traffic procedures and air navigation, resulting in at most de minimis costs from minor rerouting of flights. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

International Trade Impact Assessment

The Trade Agreements Act of 1979 (Pub. L. 96-39), as amended by the Uruguay Round Agreements Act (Pub. L. 103-465), prohibits Federal agencies

from establishing standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to these Acts, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standard has a legitimate domestic objective, such as the protection of safety, and does not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, they be the basis for U.S. standards.

FAA has assessed the potential effect of this proposed rule and determined that it has legitimate domestic objectives of safety and security. The proposed rule would not impact exports. As a result, FAA does not consider this proposed rule as creating an unnecessary obstacle to foreign commerce.

International Compatibility

In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to conform to International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. FAA has determined there are no ICAO Standards and Recommended Practices that correspond to these proposed regulations.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires FAA to consider the impact of paperwork and other information collection burdens imposed on the public. According to the 1995 amendments to the Paperwork Reduction Act (5 CFR 1320.8(b)(2)(vi)), an agency may not collect or sponsor the collection of information, nor may it impose an information collection requirement unless it displays a

currently valid Office of Management and Budget (OMB) control number. FAA determined that there would be no information collection associated with the proposed rule.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1G, “FAA National Environmental Policy Act Implementing Procedures” prior to any FAA final regulatory action.

Executive Order Determinations

Executive Order 13132, Federalism

FAA has analyzed this proposed rule under the principles and criteria of Executive Order 13132, Federalism. FAA has determined this action would not have a substantial direct effect on the States, or the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government, and, therefore, would not have federalism implications.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

Consistent with Executive Order 13175, Consultation and Coordination with Indian Tribal Governments and FAA Order 1210.20, American Indian and Alaska Native Tribal Consultation Policy and Procedures, FAA ensures Federally Recognized Tribes (Tribes) are given the opportunity to provide meaningful and timely input regarding proposed Federal actions that have the potential to affect uniquely or significantly their respective Tribes. At this point, FAA has not identified any unique or significant effects, environmental or otherwise, on Tribes resulting from this proposed rule.

Executive Order 13211, Regulations That Significantly Affect Energy Supply, Distribution, or Use

FAA analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use (May 18, 2001). FAA has determined it would not be a “significant energy action” under the E.O. and would not be likely to have a significant adverse effect on the supply, distribution, or use of energy.

Executive Order 13609, Promoting International Regulatory Cooperation

Executive Order 13609, Promoting International Regulatory Cooperation, promotes international regulatory cooperation to (1) meet shared challenges involving health, safety, labor, security, environmental, and other issues and to reduce, eliminate, or (2) prevent unnecessary differences in regulatory requirements. FAA has analyzed this action under the policies and agency responsibilities of Executive Order 13609 and has determined this action would have no effect on international regulatory cooperation.

Executive Order 14192, Unleashing Prosperity Through Deregulation

This proposed rule is not an Executive Order 14192 regulatory action because it is being issued with respect to a national security or homeland security function of the United States.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain

the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 73 as follows:

PART 73—SPECIAL USE AIRSPACE

1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 73.95 P-75 New York, NY [New]

2. Section 73.95 is amended by adding the following:

* * * * *

P-75 New York, NY [New]

Boundaries. Beginning at lat. 40°45'52"N., long. 073°57'11"W.; then counterclockwise along a 1 NM arc centered at lat. 40°45'46"N., long. 073°58'30"W.; to lat. 40°44'48"N., long. 073°58'09"W.; to the point of beginning.

Designated altitudes. Surface to 1,000 feet AGL.

Time of designation. Continuous.

Using agency. United States Secret Service, Washington, DC.

* * * * *

Issued in Washington, DC, on April 28, 2026.

Alex W. Nelson,

Manager, Rules and Regulations Group.

[FR Doc. 2026-08430 Filed: 4/29/2026 8:45 am; Publication Date: 4/30/2026]