

**Congress of the United States**  
**Washington, DC 20515**

November 5, 2019

The Honorable Stephen Dickson  
Administrator  
Federal Aviation Administration  
800 Independence Avenue SW  
Washington, DC 20591

Dear Administrator Dickson:

We, the Chairs and Vice Chairs of the Congressional Quiet Skies Caucus, write to thank you for appearing before the Caucus on October 16, 2019. As you heard during the meeting, Members have serious concerns regarding airplane and helicopter noise and the Federal Aviation Administration's (FAA) lack of responsiveness to those impacted communities. Aircraft noise has caused sleep deprivation, homes to shake and health problems, such as increased risk of stroke and cardiovascular disease. Because you only recently began your service, we hope that this meeting can be the start of renewed engagement between the FAA, Congress and our constituents, and will lead to concrete steps to mitigate this noise.

In accordance with our meeting discussion, Members seek responses to the following questions:

- The FAA 2018 Reauthorization contained an amendment that required the FAA to provide a report on the status of TSAS technology, updates on how pilots are being trained to use TSAS, the status of TSAS installation into existing airplanes, and how the FAA plans to implement the program once all these variables are in place. That report was supposed to be provided within 180 days of enactment of the law, but that has not transpired. Please provide an update to the TSAS report.
- Multiple cities have seen an increase in airplane noise levels as airports work to accommodate flights during periods of construction. Residents were only able to learn of the change after contacting a member of Congress. Is there a way for us to work together to help notify residents, or even local governments, when there are temporary changes in flight patterns that could impact our constituents?
- Constituents and advocacy groups have repeatedly requested that an FAA representative attend airplane noise community meeting(s) and have been denied. Congresswoman Rice's district office was told that the FAA will not appear at any community meeting in the 4th Congressional District that are not affiliated with the New York Communities Aviation Roundtable (NYCAR). To date, all of NYCAR's meetings have been held in Queens, making it difficult for her constituents to attend and have the opportunity to hear from the FAA directly. Recently, NYCAR said that the FAA will not participate in community meetings unaffiliated with NYCAR without NYCAR's approval. Will you direct the Eastern Region to meet directly with residents in Nassau County, outside of

NYCAR's approval process, in order for the Eastern Region to live up to the FAA's commitment of healthy community engagement?

- What is the status of the provisions in the 2018 FAA Reauthorization related to noise, especially regarding research on health impacts from aircraft noise?
- The report accompanying the Transportation, Housing and Urban Development, and Related Agencies FY 18 Appropriations bill directed the FAA to increase regional staff to address community concerns with airplane noise. What is the current status and timeline for onboarding these new regional staff?
  - What is the status and timeline for onboarding community engagement officers to be located within the regions they serve?
  - What is the plan for outreach and introduction of the new regional staff to the affected communities?
  - How will the public within the affected areas be made aware of the new staff and how will they be able to interface with them and present their comments and concerns?

- There was an agreement with the FAA and TRACON, which was signed June 13, 2019 to be implemented on June 24, 2019, with a cancellation date of April 15, 2020, that would help reduce the noise levels in Nassau County and Western Suffolk with some approved procedures. The first regulation instructs planes to fly at an elevation of at least 4,000 feet when operating west of Deer Park. The second instructs planes flying 15 miles or more from JFK to stay at least 3,000 feet in elevation when 22R is not open. Both regulations would be 24 hours a day.

However, the FAA informed Congressman Suozzi that it could not proceed because “the FAA did not follow their own internal procedures properly and the new measures needed to be studied with an Environmental Assessment Study.”

- Why would an environmental assessment study be necessary if the only effect of the June 13, 2019, plan would be to increase the elevation of approaching flights? The only impact for people on the ground is decreased noise level.
- What concrete measures have been taken to elevate the height of the flights approaching JFK?
- When will the new noise abatement procedures be approved?
- Where is the FAA regarding the agreement that was signed June 13, 2019, which was to be implemented June 24, 2019?
- The Noise Annoyance Survey was due in January 2019, and we have been told for months that legal/administrative review continues. We have also heard that scientists at Department of Transportation (DOT) are not satisfied with the rigor of the science in the Survey and it is possible that the reports will never be issued. When will the Noise Annoyance Survey be released to the public?

- We have been told by (former) Regional Administrators as far back as 2015 that flight path dispersal was being studied. What is the status of research, planning, and implementation of dispersed flight paths for NextGen RVAV/RNP flight procedures?
  - Are there any reports, white papers, overviews, scientific papers, etc.;
    - (1) about this kind of dispersion technology in general
    - (2) about the specific flight path dispersal program being developed under the auspices of the FAA?
  - Which FAA department, section or group is responsible for developing or overseeing development of this flight path dispersal? Is it being developed in-house or under contract? If contract, who is the contract vendor?
  - Does this flight path dispersal exist in any type of prototype or Beta testing? Does this flight path dispersal exist in ATC use in any U.S. or foreign airspace?
  - Is there any documentation on a planned timeline for implementation of flight path dispersal?
  - Are there any pre-conditions to the implementation of flight path dispersal?
  
- Are there alternatives to the technology of flight path dispersal being used by procedures developers to replicate some kind of dispersion?
  - For example:
  - (1) Airports alternating two or more departure or arrival procedures that essentially fulfill the same general route but vary the path slightly.
    - Do these alternative procedure versions alternate on even/odd days of the month or time of day (like Heathrow)?
  - (2) Are there any plans to incorporate HEADINGS instead of TRACKs for a portion of the procedure? Or alternating use of transitions to/from the arrival or departure procedure?
    - If so, can you point to any examples at U.S. airports or foreign airports?
  
- Have there been any recent modifications to the Opposite Direction Operations (ODO) standards and regulations in the past few years?
  - Are there any airports which may have received waivers for ODO using different than standard regulations?
  
- Are there any RNAV flight paths which incorporate a HEADING (not TRACK) as part of the procedure? Please provide the name of the procedures and the airport in use.
  
- Have any waivers from standards been issued to allow a RNAV Arrival (STAR) to connect to an RNP approach? If so, which STAR/Arrival at which airports?

- Please provide the current status and timeline for all safety and noise related items from the 2018 FAA Reauthorization Bill.
- How does the FAA plan to address existing noise problems experienced at completed metroplex projects – such as the D.C. Metroplex?
- Does the FAA see resolving noise issues arising from the Metroplex/NextGen project as part of its core mission? Or is it the position of the FAA that Congress should authorize another agency to have oversight capabilities on airplane and helicopter noise pollution?
- Please explain why, according to the August 2019 report from the Inspector General of DOT, some Metroplex sites “did not achieve expected fuel saving benefits for various reasons, including designs that increased time and distance flown for some procedures and factors that were initially considered, such as changes to wind speeds.”
  - Please explain which sites are not meeting expected fuel savings and list the reasons for each site.
  - Please explain how the FAA is planning to improve community outreach and communication near Metroplex sites and provide a timeline for the implementation of these plans.
- What plans does the FAA have, if any, to utilize the findings of your in-progress study on the health determinants of noise impacts on communities?
  - Are there plans to make changes in approved flight paths or restricted flight zones in front-line communities that have been disproportionately impacted by such flights?
- Is the FAA considering, or has it ever considered, phasing-out Stage 3 aircraft from service in U.S. airspace through regulatory action or any other manner?
- When are regional FAA community liaison officers going to begin their duties? As soon as one is in place for the New York City Metroplex, please share their contact information with the office of Congresswoman Ocasio-Cortez.
- When is the work plan for the NY/NJ/PHL airspace project going to be published in the Federal Register for public comment?
- What role, if any, has the FAA played in the planning, design or development of the LaGuardia AirTrain project?

- What regulatory action is your agency pursuing, if any, to combat climate change's impact on airports like LaGuardia and communities near airports?
- Congressman Neguse sent a letter to then-Acting Administrator Elwell on May 21, 2019, regarding NextGen noise concerns, and his staff sent an additional copy via email to the Office of Government and Industry Affairs at the FAA. Aside from acknowledging receipt of the email, they have yet to hear anything else from your agency. He requests that you review the requests in the letter (copy attached), and please provide a response to that initial inquiry as soon as possible.
- Can you please provide concrete steps you will take as Administrator to improve communication with constituents?
- A study has been authorized by Congress for the FAA to research alternatives to the day-night average sound level ("DNL") testing, including the use of actual noise sampling data. In South Boulder County, Colorado there has not been any actual noise sampling done to test the noise levels. Why has noise sampling not been done in the areas where constituents are highly impacted—such as in Nederland and the Indian Peaks Wilderness—where the NextGen flight path now routinely routes aircraft directly over?
  - Further, when designing flight paths, how can you take into account:
    - The needs of each distinct community, such as geological features which amplify sound waves from aircraft; and
    - The impact on sensitive wilderness areas to both wildlife and humans?
- Many constituents worry about the health and environmental impacts of leaded gasoline used by smaller, low flying aircraft (such as those used for pilot training) near their homes, and it is a great concern. Can you provide an update on the development of alternatives to leaded gasoline for small aircraft through your Piston Aviation Fuels Initiative?
- The public comment period for the Denver Metroplex Environmental Assessment ended on June 6, 2019. Participants were advised the FAA would review and respond to their comments. Have constituents who participated in the comment period received a response from the FAA?
  - Do you plan on responding to individuals who participate in public comment periods?
- Many constituents are deeply and rightfully concerned about the increased flight traffic they have experienced as a result of the concentrated flight path of NextGen. Have you considered modifying NextGen to allow for a more dispersed flight pattern, so that the noise pollution is not continually concentrated

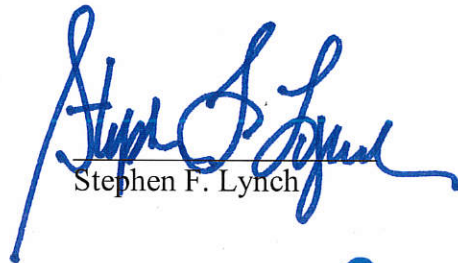
over the same homes? If not, please provide specific reasons why you are not considering dispersion.


- Can you please give updates on FAA's implementation of a central repository for constituent complaints?
- Given the FAA's history of unresponsiveness, how will the FAA differ under your guidance?

We appreciate your attention to these matters and ask that you respond to our written questions within 30 days of the date of this letter, in accordance with your verbal commitment.

Sincerely,

  
Eleanor Holmes Norton

  
Stephen F. Lynch

  
Thomas R. Suozzi

  
Mike Quigley