

Community Letter on FAA Reauthorization

April 3, 2023



The Honorable Maria Cantwell
Chair
Committee on Commerce, Science, and
Transportation
United States Senate
Washington, DC 20510

The Honorable Ted Cruz
Ranking Member
Committee on Commerce, Science, and
Transportation
United States Senate
Washington, DC 20510

The Honorable Sam Graves
Chair
Committee on Transportation and
Infrastructure
U.S. House of Representatives
Washington, DC 20515

The Honorable Rick Larsen
Ranking Member
Committee on Transportation and
Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Chair Cantwell, Chairman Graves, Ranking Member Cruz, and Ranking Member Larsen:

The undersigned community groups urge you to prioritize the enactment of the FAA reauthorization that ensures a National Aviation System that works for all - one that not only addresses the needs of the American Aviation Industry, airline-travelers, and the American Aviation Workers, but also everyday Americans who are harmed by the collateral impacts of aviation.

The FAA has stated its commitment to meaningful and equitable solutions to better understand, manage, and reduce aviation environmental impacts. To support this commitment, 67 Community groups from across the country, including Aviation-Impacted Communities Alliance (AICA), actively conceptualized new bills and collaborated with Congressionals, and the Quiet Skies Caucus on a slate of recommended legislation and amendments for the FAA Reauthorization Act of 2023.

We urge you to include the following bills along with the [Recommended Language for Additional Items \(see Attachment to this Letter\)](#) in the Reauthorization to address commercial and general aviation impacts of noise, health, and emissions.

I. NEW HOUSE BILLS - 118TH CONGRESS

1. [Impacted-Communities Advisory Committee \(Draft\)](#), Rep Lynch, Stephen F. (D-MA-8)
2. [Peer-Reviewed Report on Measuring Metrics and Thresholds \(Draft\)](#), Rep Lynch, Stephen F. (D-MA-8)
3. [Noise Data Collection Act \(Draft\)](#), Rep Lynch, Stephen F. (D-MA-8)

II. INTRODUCED HOUSE BILLS - 118TH CONGRESS

4. [Civil Aviation Security and Safety Act of 2023](#) H.R.1187 Rep Lynch, Stephen F. (D-MA-8)
5. [Safe and Quiet Skies Act](#), H.R.1071 Rep Case, Ed (D-HI-1)
6. [Aviation-Impacted Communities Act](#), H.R.1047, Rep Smith, Adam (D-WA-9)
7. [Aviation Noise and Emissions Mitigation Act](#), H.R.1048 Rep Smith, Adam (D-WA-9)
8. [Protecting Airport Communities from Particle Emissions Act](#), H.R.1049 Rep Smith, Adam (D-WA-9)

III. REINTRODUCED HOUSE BILLS – EXPECTED

9. [Air Traffic Noise and Pollution Expert Consensus Act \(Draft\)](#), H.R.712 (117th), Rep Lynch, Stephen F. (D-MA-8)
10. [Aircraft Ownership Transparency Act \(Draft\)](#), H.R.3544 (115th), Rep Lynch, Stephen F. (D-MA-8)
11. [Quiet Communities Act](#), H.R.4892 (117th), Rep Meng, Grace (D-NY-6)
12. [Improving Helicopter Safety Act](#), H.R.1643 (117th), Rep Mahoney, Carolyn (D-NY-12), to be filed by Rep Nadler, Jerry (D-NY-12)
13. [Helicopter Safety and Noise Management](#), H.R.7769 (117th), Rep Mahoney, Carolyn (D-NY-12), to be filed by Rep Nadler, Jerry (D-NY-12)
14. [Aircraft Noise Reduction Act](#), H.R.5423 (116th), Rep Neguse, Joe (D-CO-2)

IV. RECOMMENDED LANGUAGE FOR ADDITIONAL ITEMS

- A. [N-Above and T-Above Report from Neighborhood Environmental Survey](#)
- B. [Reduction in Concentration of Arrivals and Departures](#)
- C. [Leaded Fuel Health Impacts Report](#)
- D. [Public Health Impacts of Aviation Air Mobility \(AAM\) Study](#)
- E. [General Aviation Airport Study](#)
- F. [Impacts of Quiet Sonic Booms Over Land Study](#)
- G. [Family of RNAV Dispersion Report](#)
- H. [Visual Flight Rules \(VFR\) Instructional and Recreational Pilots Act](#)
- I. [Noise Exposure Map Requirements Expanded](#)
- J. [Disclosure and Notification of Changes](#)
- K. [CATEX Usage](#)
- L. [Quiet Descent Requirements](#)
- M. [Supersonic Stage Criteria](#)
- N. [Accuracy and Accountability Act](#)

We are available to work with you on the strong bipartisan Reauthorization to ensure a National Aviation System that works for all.

Respectfully,

National Organizations

aiREFORM
Aviation-Impacted Communities Alliance (AICA)
Citizens for Quiet Skies
Concerned Residents Against Airport Pollution (C.R.A.A.P.)
National Quiet Skies Coalition
NextGenNoise.Org
NextGenRelief.Org
Quiet Communities, Inc
Sky Justice National Network

State/Local Organizations

Advocates for Viable Airport Solutions, CA
Airport Impact Relief Incorporated (AIR Inc.), MA
Alliance for a Regional Solution to Airport Congestion (ARSAC), CA
BOS Fair Skies, MA
Charlotte (CLT) Airport Community Roundtable, NC
Citizens Against Gillespie Expansion and Low Flying Aircraft (C.A.G.E.L.F.A), CA
Citizens for a Friendly Airport (C4FA), CA
Citizens for Airpark Safety, MD
The Coalition to Prevent Expansion of Westchester Airport, CT
The Coalition to Transform East Hampton Airport, NY
Concerned Citizens of Brisbane, CA
Concerned Residents of Palo Alto, CA
FAiR Chicago, IL
FumeFighters United VNY, CA
Gilpin Residents Refuse Increased Flight Traffic (GRRift), CO
GrotonAyerBuzz of Ayer, MA
HICoP (Hawaii Island Coalition Malama Pono), HI
Hull Neighbors for Quiet Skies, MA
Keep It Down Up There, CA
Keystone Point Neighborhood Association, FL
King County International Airport Community Coalition (KCIACC), WA
Logan Aircraft Noise Working Group, MA
Los Angeles Area Helicopter Noise Coalition (LAAHNC), CA
Lower Makefield Township Trenton-Mercer Airport Review Panel, PA
Montgomery County Quiet Skies Coalition, MD
Oregon Aviation Watch, OR
Plane Sense 4 Long Island, NY

Quiet Florida, FL
Quiet Skies Boulder County, CO
Quiet Skies Coalition, WA
Quiet Skies Jefferson County, CO
Quiet Skies LA, CA
Quiet Skies Maui, HI
Quiet Skies Over Arapahoe County, CO
Quiet Skies Puget Sound, WA
Quiet Skies San Diego/La Jolla, CA
Quiet Skies Santa Monica Mountains, CA
Quiet Skies, AL
QuietskiesPacifica94044, CA
San Francisco's Concerned Residents Experiencing Annoying Aircraft Maneuvers (S.C.R.E.A.A.M.), CA
Save Our Skies Alliance, CO
Save Our Skies East Bay (S.O.S.E.B.), CA
Save Our Skies LA (SOLA), CA
SCANA (Scottsdale Coalition for Airplane Noise Abatement), AZ
Sherman Oaks & Encino for Quiet Skies, CA
Sierra Club, Hawai'i Island Group, HI
Sky Justice Miami, FL
Sky Posse Los Altos, CA
Southern Maryland Fair Skies Coalition, MD
STOP Jet Noise NOW! SFOAK North S.F. Bay Area, CA
Stop the Chop, NY/NJ
Studio City for Quiet Skies, CA
350 Seattle, WA
Trenton Threatened Skies, NJ
UproarLA, CA
Vashon Island Fair Skies, WA
West Adams for Quiet Skies, CA
The 02152 Initiative, MA

CC:

The Honorable Pete Buttigieg
Congressional Quiet Skies Caucus
Members of the Senate Committee on Transportation and Infrastructure
Members of the House Committee on Commerce, Science, and Transportation
Members of the Senate Subcommittee on Aviation Safety, Operations, and Innovation
Members of the House Subcommittee on Aviation



**ATTACHMENT TO THE APRIL 3, 2023
COMMUNITY LETTER ON
FAA 2023 REAUTHORIZATION**

I. NEW HOUSE BILLS - 118TH CONGRESS

1. [Impacted-Communities Advisory Committee \(Draft\)](#), Rep Lynch, Stephen F. (D-MA-8)

Summary

This bill requires the FAA to establish an advisory committee of 30 members who live in substantially impacted communities from Commercial Aviation, General Aviation, and currently or potentially impacted communities from Advanced Mobility.

Additional Notes

Communities are mostly excluded and not engaged by the FAA commensurately to other “key external stakeholders” for FAA policy, procedure design, advisory committees, etc. The Impacted-Community Advisory Committee will address this exclusion.

2. [Peer-Reviewed Report on Metrics and Thresholds \(Draft\)](#), Rep Lynch, Stephen F. (D-MA-8)

Summary

This bill requires the FAA to sponsor a National Academies of Sciences, Engineering, and Medical, Medical Division-led consensus report, with a subcontract to Engineering Division, to recommend a system of measuring noise, in accordance with the Aviation Safety and Noise Abatement Act (ASNA), that, with a highly reliable relationship, categorizes noise levels to determine compatibility for residential use and high annoyance areas. As required by ASNA, the system for measuring and categorizing noise must use surveyed reactions of people, i.e., the Neighborhood Environmental Survey study.

Additional Notes

ASNA requires the FAA to "establish a single system of measuring noise for which there is a highly reliable relationship between projected noise exposure and the surveyed reactions of people to noise to be used to measure noise at airports and their surrounding areas". Currently the FAA uses a single metric, not a single system and it is not based on the NES study (2021) for surveyed reactions of people. For this and for other reasons, the FAA does not comply with ASNA. This bill requires a scientifically-based independent group, the National Academies, to recommend a noise measurement system that is compliant with ASNA.

3. [Noise Data Collection Act \(Draft\)](#), Rep Lynch, Stephen F. (D-MA-8)

Summary

This bill requires the FAA to report, on an annual basis, the current reporting of Population Exposure at DNL 65 dB and to expand the reporting to Population Exposure at DNL 46 dB and DNL 55 dB to reflect the Congress' goal and the EPA's 1977 strategy for achieving it, and the FAA's 2021 Neighborhood Environmental Survey (NES) results.

AICA pursued and Representative Lynch plans to introduce this new bill.

Additional Notes

This expanded reporting provides a more accurate assessment of the actual impacts experienced by communities given the change to satellite navigation, the Neighborhood Environmental Survey (NES) finding of 12.3% "highly annoyed" at DNL 46 dB, and Congress' goal and the EPA's 1977 strategy to reach a goal of DNL 55 dB.

Data provided by FAA OEE personal correspondence to the US Department of Transportation Statistics indicates a 39% increase over the last 10 pre-Covid years in the number of people in the US who are exposed to aviation DNL 65 dB or greater. This is despite the quieter engines and despite the FAA's change to satellite navigation and its narrowed flight paths that, theoretically, should expose fewer individuals.

II. INTRODUCED HOUSE BILLS - 118TH CONGRESS

4. [Civil Aviation Security and Safety Act of 2023](#) H.R.1187 Rep Lynch, Stephen F. (D-MA-8)

Summary (from H.R.1462 — 117th Congress)

This bill revises and sets forth new requirements for the registration of civilian aircraft.

For example, the Federal Aviation Administration (FAA) must conduct a comprehensive review of the process under which it reviews and approves aircraft registration applications and dealer certificates.

The bill revises application requirements for aircraft registration to include name, address, date of birth, driver's license or pilot's license (or both if applicable), and applicant photos in the submission of an application.

Additionally, the FAA must

- review Office of Foreign Assets Control sanctions data on applicants;
- ensure that all eligibility and registration information in an application is true and correct before issuing a registration or dealer certificate;
- increase the fees for registration to a level sufficient to cover the costs to collect and verify applicant data and the costs of inflation;
- provide to the Drug Enforcement Administration declarations of its international operations to maximize the ability of federal national security and law enforcement agencies in preventing use of the Civil Aviation Registry for illicit purposes and detecting trade-based money laundering and other cross-border schemes;
- implement an enforcement mechanism for suspending and revoking dealer certificates; and

- establish an Aircraft Registry Task Force to examine national security, law enforcement, and public safety issues related to civil aircraft registration and develop solutions to mitigate security and safety risks and increase interagency cooperation.
-

5. [Safe and Quiet Skies Act](#), H.R.1071 Rep Case, Ed (D-HI-1)

Summary (from H.R.389 — 117th Congress)

This bill sets forth requirements for commercial air tour flights.

Among other requirements, the bill

- prohibits tour flights within a half mile of military installations, national cemeteries, national wilderness areas, national parks, and national wildlife refuges;
 - prohibits tour flights from operating at an altitude of less than 1,500 feet;
 - requires tour flights over occupied areas (e.g., residential, commercial, and recreational areas) to be no louder than 55dbA; and
 - allows states and localities to impose additional requirements that are stricter than the minimum federal requirements.
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6. [Aviation-Impacted Communities Act](#), H.R.1047, Rep Smith, Adam (D-WA-9)

Summary (from H.R.7853 — 117th Congress)

This bill addresses noise mitigation for aviation-impacted communities. (*Aviation-impacted community* is defined as a community that is located not more than one mile from any point at which a commercial or cargo jet route is 3,000 feet or less above ground level.)

Specifically, the bill

- expands Airport Improvement Program noise mitigation program funding for aviation-impacted communities that are not currently within the 65 day-night average sound level (DNL) standard;
 - requires the Federal Aviation Administration (FAA) to enter into an agreement with the National Academy of Sciences to conduct a study that summarizes the relevant literature and studies done on aviation impacts worldwide and focuses on large hub commercial airports and surrounding communities, including communities currently outside of the 65 DNL contour;
 - directs the FAA to conduct outreach to aviation-impacted communities to inform them of the opportunity to be a designated community;
 - requires the FAA to devise an action plan that alleviates or addresses the concerns of a designated community; and
 - provides grants for necessary noise mitigation in a designated community for residences, hospitals, nursing homes, adult or child day care centers, schools, and places of worship.
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7. [Aviation Noise and Emissions Mitigation Act](#), H.R.1048 Rep Smith, Adam (D-WA-9)

Summary

This bill requires the Environmental Protection Agency to establish pilot grant programs to measure and mitigate aircraft and airport noise and emissions (e.g., greenhouse gases and toxic pollutants) in communities near airports and air flight pathways.

8. [Protecting Airport Communities from Particle Emissions Act](#), H.R.1049 Rep Smith, Adam (D-WA-9)

Summary (from H.R.4068 — 117th Congress)

This bill directs the Federal Aviation Administration and the Environmental Protection Agency to jointly contract with an institution of higher education to study the characteristics, distributions, sources, and potential human health effects of airborne ultrafine particles.

III. REINTRODUCED HOUSE – EXPECTED

9. [Air Traffic Noise and Pollution Expert Consensus Act \(Draft\)](#), H.R.712 (117th), Rep Lynch, Stephen F. (D-MA-8)

Summary (from H.R.712 — 117th Congress)

This bill requires the Federal Aviation Administration to enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to examine and report on the various health impacts of air traffic noise and pollution.

10. [Aircraft Ownership Transparency Act \(Draft\)](#), H.R.3544 (115th), Rep Lynch, Stephen F. (D-MA-8)

Summary (from H.R.3544 – 115th Congress)

This bill requires the Federal Aviation Administration to obtain the identity of each beneficial owner of an entity seeking a certificate of registration for an aircraft.

"Beneficial owner" is defined as a natural person who exercises control over or has an interest in the entity seeking the aircraft registration.

11. [Quiet Communities Act](#), H.R.4892 (117th), Rep Meng, Grace (D-NY-6)

Summary (from H.R.4892 — 117th Congress)

This bill requires the Environmental Protection Agency to reestablish an Office of Noise Abatement and Control to promote the development of local noise control programs, carry out research, and develop and disseminate educational materials, among other duties.

12. [Improving Helicopter Safety Act](#), H.R.1643 (117th), Rep Mahoney, Carolyn (D-NY-12), to be filed by Rep Nadler, Jerry (D-NY-12)

Summary (from H.R.1643 — 117th Congress)

This bill prohibits operating helicopter flights over any city with a population of over 8 million and a population density of over 25,000 people per square mile, except for purposes of (1) public health and safety, including law enforcement and emergency response; and (2) heavy-lift operations in support of construction and infrastructure maintenance.

13. [Helicopter Safety and Noise Management](#), H.R.7769 (117th), Rep Mahoney, Carolyn (D-NY-12), to be filed by Rep Nadler, Jerry D-NY-12)

Summary (from H.R.7769 — 117th Congress)

This bill establishes a commission comprised of the Federal Aviation Administration, members of local and state government, and helicopter noise and safety advocates to develop a helicopter usage management plan to substantially reduce the number of nonessential civil rotorcraft (i.e., a helicopter) that can operate in certain airspace at any given time.

The plan shall not apply any limitation or requirement to the operation of a civil rotorcraft for purposes of public health and safety, including (1) law enforcement, (2) emergency response, (3) disaster response, (4) medical services, (5) scientific research, and (6) official purposes by a news organization.

14. [Aircraft Noise Reduction Act](#), H.R.5423 (116th), Rep Neguse, Joe (D-CO-2)

Summary (from H.R.5423 — 116th Congress)

This bill authorizes owners or operators of general aviation airports to implement aircraft noise restrictions, including (1) restricting the number and type of aircraft that can operate at their airports, and (2) setting date and time limitations for such operations.

The bill prohibits withholding or withdrawing federal funds from airports that choose to implement noise restrictions.

The Department of Transportation may restrict the authority of airport owners or operators to impose noise restrictions in the case of an emergency.

IV. RECOMMENDED LANGUAGE FOR ADDITIONAL ITEMS

A. N-Above and T-Above Report from Neighborhood Environmental Survey

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Summary

This bill requires the FAA not later than 180 days after the date of enactment of this Act, to submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that analyzes the similarities and differences of associations between annoyance and metrics DNL 65, N-Above, and T-Above at specific N-Above and T-Above levels using the NES study's airports and data.

Details

This bill requires the FAA not later than 180 days after the date of enactment of this Act, to submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that analyzes the similarities and differences of associations between annoyance and metrics DNL 65, N-Above, and T-Above at specific N-Above and T-Above levels using the NES study's airports and data.

- 1) Publish N-Above and T-Above noise levels from 45 dB-A to 70 dB-A in increments of 5 dB, on granular geographic grids for all airports included in the Neighborhood Environmental Survey (NES)
- 2) Analyze the association between N-Above and annoyance levels for N-45, N-50, N-55, N-60, N-65, and N-70 using statistical methods and models similar to the ones used to analyze the association between DNL65 and annoyance in the NES study. Compare the models based on model fit statistics that assess the amount of variance explained by DNL compared with N-Above when predicting high-annoyance levels.

Additional Notes

This expanded reporting provides a more accurate assessment of the actual impacts experienced by communities given the change to satellite navigation, the Neighborhood Environmental Survey (NES) finding of 12.3% "highly annoyed" at DNL 46 dB, and Congress' goal and the EPA's 1977 strategy to reach a goal of DNL 55 dB.

The FAA uses misleading graphics and statistics (page 11) to create a narrative that aviation noise exposure has decreased. That message is true when comparing today to 47 years ago, but it is false when comparing today to a pre-COVID decade ago. The FAA's Performance Based Navigation, narrowed flight paths, increased aircraft size and enplanement weight, and the increase in the number of operations have contributed to the exposure increase.

Data provided by FAA OEE personal correspondence to the US Department of Transportation Statistics indicates a 39% increase over the last 10 pre-Covid years in the number of people in the US who are exposed to aviation DNL 65 dB or greater. This is despite the quieter engines and despite the FAA's change to satellite navigation and its narrowed flight paths that, theoretically, should expose fewer individuals.

B. Reduction in Concentration of Arrivals and Departures

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Summary

This bill requires the FAA to evaluate and implement proposals submitted by an airport that reduces or disperses aircraft arrival or departure concentration over residential and other noise sensitive locations that are at least 5 miles from the airport.

Details

This bill requires the FAA, not later than 30 days after the date of enactment of this Act, to evaluate and implement proposals submitted by an airport that reduces or disperses aircraft arrival or departure concentration over residential and other noise sensitive locations that are at least 5 miles from the

airport. The FAA must provide data that substantiates a decision to reject a proposal on the basis of safety, operational challenge, or noise shifting.

Additional Notes

Builds on Section 175, FAA Reauthorization 2018 to include both departures and arrivals. GPS technology allows planes to be guided precisely, which is why the FAA has reduced their lateral and vertical separation requirements. Such technology can be exploited to create different paths, which may be used on an alternate basis, if necessary, without sacrificing safety.

C. Leaded Fuel Health Impacts Report

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Summary

This bill requires the FAA, not later than 60 days after the date of enactment of this Act, to sponsor a consensus report with the National Academies of Medicine, Medical Division-led to provide a report on the health impacts of leaded aviation fuel. The report to include the following:

1. Existing non-leaded fuel alternatives to the aviation gasoline used by piston-powered general aviation aircraft;
2. Ambient lead concentrations at and around airports where piston-powered general aviation aircraft are used; and
3. Mitigation measures to reduce ambient lead concentrations, including increasing the size of run-up areas, relocating run-up areas, imposing restrictions on aircraft using aviation gasoline, and increasing the use of motor gasoline in piston-powered general aviation aircraft."

Details

Additional document available - [Leaded Fuel Health Impacts Report](#).

D. Public Health Impacts of Aviation Air Mobility (AAM) Study

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Summary

This bill directs the FAA to sponsor a consensus report with the National Academies Division of Medicine to study the negative physical and mental health effects of AAM noise events on people on the ground.

Details

This bill directs the FAA, not later than 90 days after the date of enactment of this Act, to sponsor a consensus report with the National Academies Division of Medicine to study the negative physical and mental health effects of Advanced Air Mobility (AAM) noise events on people on the ground.

E. General Aviation Airport Study

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Summary

This bill directs the FAA, not later than 90 days after the date of enactment of this Act to sponsor a comprehensive audit report on General Aviation (GA) aircraft activity and airports from the Government

Accountability Office (GAO). The study focuses on three major contributors to GA traffic: Flight training, private/recreational flying, and private/corporate/recreational jets and will address noise impacts, lead emissions and other toxic pollutants, cost to the public, safety risks, security concerns, environmental justice, and insurance liability.

Details

Additional document available - [Government Accountability Office \(GAO\) General Aviation \(GA\) Airport Study Request](#).

F. Impacts of Quiet Sonic Booms Over Land Study

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Summary

This bill directs the FAA to sponsor a consensus report with the National Academies Division of Medicine to study expected noise on the ground and public health effects caused by supersonic aircraft.

G. Family of RNAV Dispersion Report

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Summary

This bill requires the FAA to sponsor work for a report that assesses the feasibility, benefits, and barriers for implementing ""RNAV-family"" or ""multi-RNAV"" procedures to disperse concentrated flightpaths in areas that are not adjacent to major airports but that are disproportionately impacted by aviation noise events from Performance Based Navigation procedure implementation. The assessment shall be completed by an independent organization with expertise in procedure design, flight management systems, and ATC operations. The report requires the independent organization to interview, involve, and obtain comments from specific stakeholders including FAA, Airports, Airlines, and local communities.

Details

On January 13, 2016, when discussing procedures to disperse aircraft, Dr. Tom G. Reynolds of the Air Traffic Control Systems Group at MIT Lincoln Laboratory described a Family of RNAVs as a way to disperse aircraft:

There has long been the idea of a hybrid “multi-RNAV procedure” solution where the current RNAV procedure defines the center-line track of a family of RNAVs, with other family members offset by 1 and 2 nmi left and right of the center-line which ultimately all converge at about a 5 nmi final for arrivals, or diverge to these families a few miles after departure. When the airport is operating in a given configuration for long periods, each individual track could be used for an hour at a time to spread the noise within a swath similar to what would naturally result from vectored arrivals, but still enabling benefits of optimized RNAV procedures to be achieved.

This bill requires the FAA to sponsor work for a report to Congress, completed within one year of the bill’s enactment, that assesses the feasibility, benefits, and barriers for implementing ""RNAV-families"" or ""multi-RNAV"" procedures to disperse concentrated flightpath procedures in areas that are not

adjacent to major airports but that are disproportionately impacted by aviation noise events from NextGen Performance Based Navigation procedure implementation. The assessment shall be completed by an independent organization with expertise in procedure design, flight management systems, and ATC operations. The report requires the independent organization to engage with, interview, involve, and obtain comments from specific stakeholders including FAA, Airports, Airlines, and local communities. The work shall identify

1. Barriers to developing and using RNAV-families to return flight path disbursement over communities and neighborhoods currently sacrificed by Performance Based Navigation's single concentrated flight paths;
 - a. The report shall include solutions for removing each identified barrier;
2. Communities with peak-day Nabove 60day/50night for 50 or more aviation noise events that would benefit from RNAV-families at each single and metroplex major airports where Performance Based Navigation has been implemented;
3. Aircraft operating in the US equipage levels for RNP Approach, RNP AR Approach, and RNP 1 with Curved Path procedures;
4. The minimum distance from runway ends that dispersion can occur after departure and on approach;
5. Potential uses of Equivalent Lateral Spacing Operations (ELSO) for dispersion of departures, not for increased capacity;
6. Role of Ground Based Augmentation System (GBAS) for developing and using a Family of RNAVs for flight path dispersion over heavily impacted communities;

and other topics, possibilities, and questions that occur during the engagement process.

H. Visual Flight Rules (VFR) Instructional and Recreational Pilots Act

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Summary

This bill imposes noise and safety requirements on pilots flying VFR for instructional, recreational, and other purposes.

Details

This bill imposes noise and safety requirements on pilots flying Visual Flight Rules (VFR) for instructional, recreational, and other purposes.

SEC. 1. REQUIREMENTS FOR INSTRUCTIONAL AND RECREATIONAL PILOTS FLYING VFR

(a) Restriction Of Instructional and Recreational Pilots flying VFR In the Mode C Veil Surrounding the Countries' Class B Airports - The areas surrounding the 30 busiest commercial airports are population centers and VFR concentrated flight maneuvers are prohibited. The area within the Mode C Veil will be defined as congested per Federal Air Regulations 91.119 (b) and 91.303 (a). (b) Use Of Automatic Dependent Surveillance-Broadcast (ADS-B) Out Equipment. - The Administrator of the Federal Aviation Administration shall use ADS-B geofences as a tool in tracking violations of this act, and of Federal Air Regulations related to safety. Automatic fines to be implemented.

(c) Noise Sensitive Areas - The Federal Aviation Administration Noise Sensitive Area Advisory Circular 91-36D must transition from a voluntary directive to an enforceable regulation.

(d) Flight training areas and other VFR recreational aircraft uses outside of the Mode C Veil will be subject to an environmental impact study with public input and approval, and are to be disclosed on FAA terminal area charts and FAA sectional charts used by the piloting community. Publicly approved flight training areas are allowed access to AIP grant money for necessary sound mitigation. No flight training area may be established without local public approval. Public notification of proposed flight training areas must be posted within the local municipality.

SEC. 2. DELEGATED AUTHORITY TO STATE AND LOCAL REGULATORS.

(a) In General.—Notwithstanding any other provision of law, a State or locality may impose additional requirements on instructional and recreational pilots flying VFR (but may not waive any requirements described in this Act or in the amendments made by this Act), including—

- (1) banning touch and gos;
- (2) imposing day and time flight restrictions;
- (3) regulating the total number of flights per day;
- (4) regulating route requirements over occupied areas;
- (5) prohibiting flight maneuvers over educational facilities, hospitals, religious facilities, State or local parks, ocean recreation areas, cemeteries, and other areas of State interest.
- (6) requiring aircraft to operate at lower decibels for purposes of noise requirements.

SEC. 3. PUBLIC ENGAGEMENT THROUGHOUT FEDERAL AND STATE REGULATORY PROCESS.

During the promulgation of any regulation required by this Act, the requirements of the Administrative Procedure Act shall apply.

SEC. 4. PENALTIES.

The Administrator shall impose penalties for violations of this Act or the amendments made by this Act, including automatic fines and revoking any certifications or permits issued to airmen to operate an aircraft or to operate a flight school. All fines collected are to be paid to local aircraft noise abatement programs.

I. Noise Exposure Map Requirements Expanded

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Summary

This bill directs the FAA to require noise exposure maps from airports beyond the DNL 65.

Details

This bill amends the existing statutory provision Section 47503(b) of title 49 regarding the submission and update of Noise Exposure Maps (NEMs) from airport operators to the FAA given the Neighborhood Environmental Survey (NES) results and the anticipated air traffic increases. DNL NEMs shall be required starting at DNL/CNEL 45 dB and in 5 dB increments. N-Above NEMs shall be required starting at 50 dB

Lmax and in 5 dB increments for 3 time periods (7AM to 7PM, 7PM to 10PM, 10PM to 7AM). New or updated NEMs shall be required during (A) the forecast period of the applicable NEM submitted by an airport operator under subsection (a), or (B) the implementation period of the airport operator's noise compatibility program.

Additional Notes

See example of a previous change to the statutory provision - Section 174, FAA Reauthorization 2018 Section 47503(b) of title 49. Noise Exposure Maps should be updated to represent the Neighborhood Environmental Survey (NES) findings of 12.3% ""highly annoyed"" at DNL 46 dB.

J. Disclosure and Notification of Changes

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Summary

This bill requires the FAA to make available specific procedure notification within a defined timeframe and to communicate it to counties, cities, and townships located within 50 miles of the origin or destination airport related to the new procedure.

Details

This bill requires the FAA, not later than 60 days after the date of enactment of this Act, to make available specific procedure notification within a defined timeframe and to communicate it to counties, cities, and townships within 50 miles of the origin or destination airport related to the new procedure and if located within 1 mile of the PBN path at altitudes at or below 10,000 ft Above Ground Level.

Information Notification required for the following milestones or documentation:

- Start of an Initial Environmental Review (IER) within 5 working days of an IER being started
- IER Documentation (attachment or weblink) within 5 working days of the IER completion
- Full Work Group (FWG) meeting date and agenda within 5 working days of meeting being scheduled
- FWG meeting minutes (attachment or weblink) within 5 working days of the FWG meeting being held
- Date and signature, for each signature level, including final approval and the full documents, on a Categorical Exclusion (CATEX), Environmental Assessment (EA) or Environmental Impact Statement (EIS) within 5 working days of each signature being applied

Communication Recipients required to make information available to counties, cities, and townships within 50 miles of the origin or destination airport related to the procedure.

Additional Notes

The bill addresses the WHO, WHEN and WHAT for FAA notification. Communities must get adequate notification of milestones and documents regarding changes that may affect them. FAA must be inclusive and engage highly impacted communities beyond Roundtables. In almost every case, not all communities potentially impacted by FAA actions are notified or included in community engagement if they are not members of a Roundtable recognized by the FAA. Such communities cannot raise concerns if they do not know of the FAA action, their input is not formally recognized (e.g., FAA's NEPA process),

and there is no dialogue with the FAA to get their questions answered. For some communities, Roundtables do not exist, are too costly, or restrict their membership.

K. CATEX Usage

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Summary

This bill modifies Sections 213(c) to require the FAA to conduct, at a minimum, an Environmental Assessment for all new procedures including new approaches as well as changes in headings, altitudes, or speeds during the takeoff, climb, descent, or approach phases of a flight.

Details

This bill modifies Sections 213(c) to require the FAA to conduct, at a minimum, an Environmental Assessment for all major changes defined as changes in ground track (new headings, new waypoints, etc.), changes in altitude by at least 250 feet, changes in speed by at least 5 knots (either way, + or -), changes in concentration (going from radar based to RNAV) including new approaches as well as changes in headings, altitudes, or speeds during the takeoff, climb, descent, or approach phases of a flight.

Additional Notes

Today, the FAA can use the CATEX level, which is the lowest, to “categorically exclude” a proposed project (e.g., a change) from a detailed environmental analysis by doing only a lightweight analysis that inadequately determines that the project does not have a significant impact. Current rules allow the FAA to “categorically exclude” many changes, including major ones such as implementing new RNAV/RNP procedures, which are very different than conventional procedures, or creating overlays of existing flight tracks, which are problematic when moving from a radar-based system with widely separated planes to a GPS-based system with narrowly concentrated planes.

L. Quiet Descent Requirements

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Summary

This bill requires the FAA to design and implement existing and future arrival procedures and approaches that will allow aircraft to fly idle and in a clean configuration all the way to final approach at least 90% of the time.

Details

This bill requires the FAA to design and implement existing and future arrival procedures and approaches that allow aircraft to fly in a clean configuration all the way to final approach at least 90% of the time. Not later than 180 days after the date of enactment of this Act, the FAA is required to adopt design criteria for instrument arrival procedures and approaches that enable aircraft to fly idle and in a clean configuration all the way to the Final Approach Fix (FAF), and to increase slightly the in-trail separation between aircraft to avoid the need for Air Traffic Control to speed up or delay arriving aircraft before final approach because of air traffic or airport congestion.

Within 180 days after the date of enactment of this Act, the FAA Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives biannual reports that contain:

* Compliance rates at Core 30 airports for instrument arrival procedures and approaches at 4 locations (end of STAR arrival, Initial Approach Fix (IAF), Intermediate Fix (IF) if there is no IAF, and Final Approach Fix (FAF)). Compliance rates at each location should show for a 6-month period, the airline, procedure, aircraft type, number of aircraft, flap setting status (min, max, average, medium), landing gear deployment (average, median), and thrust level (min, max, average, median).

* Top 50 existing arrival procedures and approaches overflying residential areas that will be first modified within the next 18 months to comply with quiet descent requirements. Priority order should be based on usage and lack of compliance.

M. Supersonic Stage Criteria

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Summary

This bill directs the FAA to require that stage criteria for supersonic commercial aircraft shall be no less stringent than for subsonic aircraft. The criteria must be the same for supersonic and subsonic.

Details

This bill requires the FAA, not later than 30 days after the date of enactment of this Act, that stage criteria for supersonic commercial aircraft shall be no less stringent than for subsonic aircraft of the same class. The criteria must be the same for supersonic and subsonic.

Additional Notes

Adopts the position taken by the FAA in 1978, following an EPA recommendation, that supersonic and subsonic aircraft should share the same stage criteria. The FAA is now proposing stage criteria for supersonic aircraft that are halfway between the Stage 4 and Stage 5 criteria for commercial aircraft. In 1978, the FAA wrote, "With the issuance of these rules, the FAA takes the first step toward ensuring that future SST's are subject to the same noise levels as subsonic aircraft...." This followed an EPA recommendation to prohibit operation of any subsonic or supersonic airplane to or from any airport within the US unless it complied with Part 36 noise limits for subsonic airplanes. See "[Airplane noise requirements for operation to or from an airport within the United States](#)", 41 FR 6270, 1976.

N. Accuracy and Accountability Act

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Summary

This bill requires within 180 days of implementing a major change, the FAA shall conduct and publish a post implementation analysis to validate whether the change met the expected safety and/or efficiency benefits and produced the expected levels of noise as documented in the EA or EIS at representative locations under the flight paths.

Details

This bill requires within 180 days of implementing a major change, the FAA shall conduct and publish a post implementation analysis to validate whether the change met the expected safety or efficiency benefits and produced the expected levels of noise as documented in the EA or EIS at representative locations under the flight paths. The publication shall include the raw data, algorithms, assumptions, and mathematical functions used in the analysis and must be sufficient to enable a third party to reproduce the FAA analysis.

If the post implementation analysis of a major change shows that actual results for safety, efficiency, or noise impacts on communities are worse than expected results on one or more aspects (safety, efficiency, or noise) then the major change shall be reverted within 30 days of the publication of the post implementation and the Environmental Review (EA or EIS) shall be rejected.

Additional Notes

Through its environmental review process, the FAA determines the predicted impacts of changes on communities. However, the FAA does not have to address any discrepancies between actual impacts and predicted impacts that may be discovered post implementation: there is no validation step to check that actual impacts are equal to or lower than predicted impacts. Environmental reviews are approved based on analyses and conclusions that are not verified after changes have been implemented.

1) If there is a substantial* divergence between predicted and actual impacts, the NEPA process is reset and any implemented change vacated (i.e., flight path and procedure changes reverted), and the agency starts over.

2) This law shall apply retroactively to all NEPA processes related to PBN changes conducted since 2010 and those reviews must be completed within one year of enactment.

*The word "substantial" needs to be explicitly defined here lest the FAA define any error less than two orders of magnitude (i.e., 10,000%) as not substantial. All EA or EIS conclusions shall be considered preliminary in nature and contingent upon the completion of a post implementation analysis of a major change to validate that actual results are as good or better than expected results.