



Communities' Letter on FAA Reauthorization

June 15, 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 205

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

This letter is to provide the perspective of directly and substantially affected communities on the pre-mark-up version of [H.R.3935](#) introduced on June 9, 2023 and the [Senate 6-13-23 draft FAA Reauthorization Act of 2023](#) released the evening of June 12, 2023.

We, Aviation-Impacted Communities Alliance (AICA) President Darlene Yaplee and CTO Cindy L. Christiansen, PhD, write this on behalf of communities nation-wide who are affected by aviation noise, pollution, and its health impacts. **The legislation is a disappointment. It vastly over-weights the benefits to the aviation industry, it does not protect communities or the environment from the harmful impacts of aviation, and it fails to deliver a National Aviation System that works for all.**

An inadequate amount of time (3 days for the House bill and 13.5 hours for the Senate bill) was given for those negatively impacted by aviation noise and pollution to 1) know that the draft was released; 2) read the 700+ and 400+ documents; 3) organize their requests for changes and additions; and 4) contact and convince their Congressionals or a Transportation Committee member to submit amendments.

The House released its draft version on June 9, 2023 with Transportation committee members amendments required **one** day before the first hearing, i.e., in less than three days including the weekend. An even tighter schedule was used in the Senate with a release of its draft the evening of June 12, 2023 with amendments due **two** days before its hearing (unbeknownst to us), i.e., in less than fourteen mostly overnight hours the next day.

Here are Examples of the Problems with the Legislation:

- **Weakens Oversight to Protect the Public:** SEC. 473. *Expedited Environmental Review and One Federal Decision* reduces the review process for all airport capacity enhancements, not just projects at congested airports, and lessens the roles of participating and coordinating agencies, which often are state/local agencies. SEC. 471. *Streamlining Consultation Process* removes

oversight by the Secretary of the Interior and the EPA for the FAA to carry out its policy for streamlining the consultation process from Section 47101(a)(6) of title 49, United States Code. *SEC. 205. Prohibition on Using ADS-B Data to Initiate an Investigation* prohibits the FAA from launching investigations using ADS-B alone even though it can be used by the FAA to ensure compliance.

- **Excludes Substantially Affected Communities:** *SEC. 483. Aviation and Airport Community Engagement* repurposed introduced bill [Impacted-Communities Advisory Committee, H.R.2565 Rep Lynch, Stephen F.](#), replacing the bill's list of required representatives of community groups with aviation industry representatives (airport, airlines, aircraft manufacturers, etc.). [Senate SEC. 917 Aircraft Noise Advisory Committee](#) only includes representatives from "airport-adjacent" communities which excludes any overflown communities where dispersed operations moved to NextGen concentrated and frequent flight paths.
- **Fails to Reduce Community Noise Exposure:** *SEC. 265. Low Altitude Rotorcraft and Powered-Lift Operations* does not address the safety and noise issues that are compounded when rotorcraft operate in the same airspace as General Aviation and when rotorcraft routinely fly under 500 feet above ground level given NextGen flights are above them. *SEC. 477. Reducing Community Aircraft Noise Exposure* allows only actions to reduce aircraft noise impacts if they do not negatively affect efficiency regardless of some cases where a minor reduction in efficiency could provide meaningful noise reduction that benefits communities.
- **Lacks Accountability:** *SEC. 135. Aviation Noise Officer* repeals the "Regional Ombudsmen" Section 180 of the FAA Reauthorization Act of 2018 thereby vastly reducing scope: 1) only noise and not pollution; 2) excludes addressing concerns raised by the public to only during decision-making processes; and; (3) eliminates being consulted on all proposed changes in operations and environmental impacts beyond noise.
- **Funds a Private Independent Entity:** *SEC. 303. National Center for the Advancement of Aerospace* provides federal funding for a private independent entity while the public has a reasonable expectation that the role of promoting aviation should be the job of the industry. In a time of debt crisis, FAA Reauthorization spending should focus on the FAA's mission to address the environmental impacts of aviation and to provide the safest and most efficient aerospace system in the world.
- **Limits Benefits of NextGen:** *SEC. 742. NextGen Programs* does not fully realize the benefits of NextGen by omitting "Family of RNAVs" as a performance-based navigation procedure to provide dispersion for overflown communities with single concentrated arrival, approach, and departure paths.
- **Fails to Address Health Impacts and Obtain Consultation from Metric Experts:** *SEC. 485. Third Party Study on Aviation Noise Metrics* disregards key components of Representative Stephen F. Lynch's [H.R.2561](#) and [H.R.2562](#) by excluding language that requires the National Academy of Medicine to lead the Third-Party Study on Metrics and a Third-Party Study on the Public health effects of aviation noise and pollution. *SEC. 485.* Should be replaced by [H.R.2561](#) and [H.R. 2562](#).
- **Environmental Impacts and State and Local Control Missing from Urban and Advanced Air Mobility Sections:** *Sections related to Urban and Advanced Air Mobility* lack information on what the public and state/local authorities should know about the environmental impacts of

emerging air transport technologies. The draft Act minimizes state/local authorities' control of these unknown negative impacts.

- **Allows for 2030 EAGLE Deadline to be Extended:** *SEC. 267. Eliminate Aviation Gasoline Lead Emissions* is the goal, however the safe elimination of the use of leaded aviation gasoline by piston-engine aircraft by the end of 2030 should be enforced regardless of the impacts to the piston-engine aircraft fleet.

We urge you to ensure a National Aviation System that works for all.

Respectfully,

Darlene Yaplee, President and Cindy L. Christiansen PhD, CTO



[Aviation-Impacted Communities Alliance](#)

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