

Congress of the United States
Washington, DC 20515

December 1, 2022

Acting Administrator Billy Nolen
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Acting Administrator Billy Nolen,

We write to you today as the Quiet Skies Caucus to express our ongoing concerns about aviation noise issues.

We appreciate the Federal Aviation Administration's (FAA) efforts to address aviation noise concerns, including the FAA Neighborhood Environmental Survey (NES) Study results from January 2021. However, our caucus found this report filled with outdated data and unreliable metrics.¹ In response to the inaccurate results, the FAA brought on the Federal Mediation & Conciliation Service (FMCS) to assist with designing a better system.² However, in the 635 days that have passed since the NES Study results were released and 395 days since the IAA was finalized, there has been no noise-policy briefing nor any updates from the FAA. Further, to our knowledge, there has been no inclusion of substantially affected communities during this process.

The Aviation-Impacted Communities Alliance (AICA) informed us that they had obtained a copy of the FAA/FMCS Interagency Agreement³ (IAA) regarding the FAA's Noise Policy Review from August 4, 2022, as well as a modified FAA/FMCS IAA document entitled "Modification One"⁴. They shared the agreement with us to review.

In reviewing the IAA, we found that the FAA continues to systemically exclude aviation noise impacted communities as "key external stakeholders." It is our understanding that no aviation noise impacted community's representatives have been included in the FMCS interviews or contacted for such interviews. The IAA, Article 5, Task 1A, describes how the "FMCS will conduct background research on, and interviews of, key external stakeholders, key agency staff to assist FAA/AEE with identifying internal decision-makers, influencers, stakeholders, and those with responsibility for carrying out leadership direction." To exclude these deeply impacted communities highlights the flawed engagement process, which distorts all subsequent

¹ <https://norton.house.gov/media-center/press-releases/norton-quiet-skies-caucus-send-letter-to-faa-on-aircraft-noise>

² <https://aviationimpactedcommunities.org/wp-content/uploads/2022/10/2021-05-10-Dickson-to-Lynch-QSC.pdf>

³ <https://aviationimpactedcommunities.org/wp-content/uploads/2022/10/FOIA-2022-00051-AGREEMENT.pdf>

⁴ <https://aviationimpactedcommunities.org/wp-content/uploads/2022/11/FAA-FOIA-response-to-9-20-22-2nd-request.pdf>

Tasks in the IAA. Through the IAA “Modification One”, we saw that the tasks were said to be completed without a written report and without community engagement.

One solution to this exclusion of impacted communities would be to create an aviation noise policy advisory committee comprised of members of aviation noise impacted community groups. Therefore, **we request that the FAA establish such an advisory committee within 30 days** to serve as a national committee commensurate to other “key external stakeholders” as part of the FAA Noise Policy Review. The creation of this committee will best represent the realities of the impact of airport noise by having those effected be able to voice their concerns directly to the FAA.

As we are still unsatisfied with the lack of information and communication about the review process, **we also request the FAA answer the following questions from the AICA:**

1. Given the FAA’s statement, “...designing an inclusive and participatory policy review framework and process that prioritizes input from substantially affected stakeholders, including local communities. The FMCS will also facilitate these internal and external stakeholder dialogues. This will not be a short, simple, or superficial undertaking. It will be robust, data-driven, and inclusive.” (May 10, 2021 letter)
 - a. Did the FAA give the FMCS their two letters to the Congressional Quiet Skies Caucus (May 10, 2021, and June 30, 2022) as direction to the FMCS for the FAA Noise Policy Review Process expectations and background as part of Task 1A Background research?
 - b. Please comment on how the FAA “prioritizes input from ‘substantially affected’ stakeholders, including local communities” when there has been no public evidence of local communities having commensurate inclusion on par with other key external stakeholders nor informed of the FAA noise policy review process since the IAA was signed over one year ago?
 - c. Who are the “external stakeholders” that have or will be interviewed? How were they selected?
 - d. Who is responsible for the adequate representation and inclusion of substantially affected communities as key stakeholders?
 - e. Explain how directly and substantially affected communities are adequately included as key stakeholders in each of the Tasks of the IAA?
2. Have any of the Task deadlines changed from the original IAA? (Article 6, Section A. and B. requires documentation of mutual agreements on schedule changes). If yes, please provide an updated timeline.
3. Please provide us with copies of the FMCS monthly reports on the status (Article 6, Section C.) and final written products (Article 6, Section D).
4. Please explain how 10 deliverables have been completed but there are no written documents about these Task conclusions.
5. Are there written notes or other types of documents that record the “verbal” monthly reports by FMCS? If so, please provide us with copies.
6. Please provide us with subsequent IAA Modification versions in a timely fashion so that FOIA requests are not required to receive meaningful updates on the FAA Noise Policy Review.

Aircraft noise can be substantially harmful to the health and wellbeing of our impacted constituents. It is the FAA's responsibility to serve not only the aviation industry but also everyday Americans who are harmed by collateral impacts of the aviation industry.

Sincerely,



Stephen F. Lynch
Member of Congress
Quiet Skies Caucus Co-Chair



Eleanor Holmes Norton
Member of Congress
Quiet Skies Caucus Co-Chair



Mike Quigley
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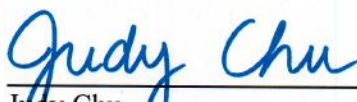
Jamie Raskin
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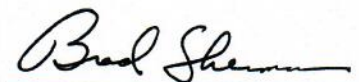
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