

# Congress of the United States

Washington, DC 20510

December 20, 2019

Hon. Stephen M. Dickson  
Administrator  
Federal Aviation Administration  
800 Independence Avenue SW  
Washington, DC 20591-0004

Dear Administrator Dickson:

We are writing on behalf of hundreds of thousands of Americans who continue to suffer the effects of the FAA's NextGen program.

As you know, since its introduction of Metroplexes in 2010, the FAA has concentrated flight paths over neighborhoods, schools, and national monuments in order to make the airspace more efficient. This heavy air traffic produces constant noise and particulate matter that has yet to be deemed safe by the FAA or any other government agency. The noise created by the frequency of flights – in some areas beginning before 6:00 a.m. and continuing every few minutes until midnight or later – has had a devastating impact on residents' quality of life. The FAA has yet to make any significant changes to the disruptive flight paths. In fact, communities, cities and states around the country, including in and around the District of Columbia, Phoenix, Boston, San Francisco, Los Angeles, Seattle, Denver, New York, and the State of Maryland, have taken legal action as a result of the FAA's failure to adequately address community concerns.

A report by the U.S. Department of Transportation's Office of Inspector General dated August 27, 2019 entitled *FAA Has Made Progress in Implementing Its Metroplex Program, but Benefits for Airspace Users Have Fallen Short of Expectations* raises serious questions about the efficacy of the FAA's NextGen program. Among these concerns are limited estimates of annual benefits, inaccurate information published by the FAA about the advantages of Performance Based Navigation, and inadequate documented evidence to measure progress.

According to the section of the report entitled "Metroplex Benefits to Airspace Users Have Fallen Well Short of Predictions, and There Is No Consensus on Actual Benefits Achieved," the FAA estimates that NextGen implementation has saved airlines only \$31.1 million annually, which is roughly half of its initial minimum estimate. Of the seven completed Metroplex locations, only one achieved fuel savings benefit expectations. Even more concerning, the FAA published conflicting information about these savings on its website. For example --

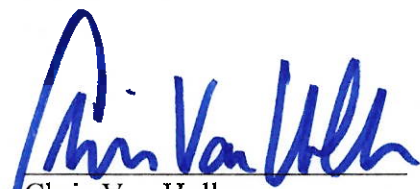
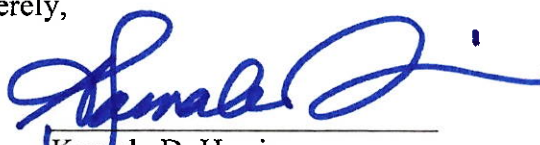

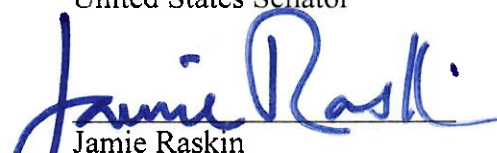

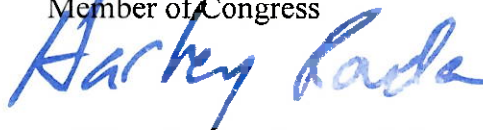
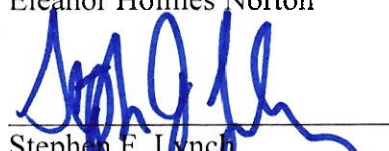

"[The] FAA has posted the benefits estimate of \$2.0 million from the design team for Northern California rather than the negative \$7.7 million benefits, even though this is a completed site...Unclearly or inaccurately reporting Metroplex benefits limits Congress and the Department's ability to assess the progress of the program for purposes of providing and allocating funds, and industry stakeholders may not be able to rely on FAA reported benefits to effectively plan for the investments required to equip aircraft operating in the NAS [National Airspace System]."

The FAA claims that other operational benefits such as increased safety have also been achieved, but, according to the report, this claim remains unsubstantiated because the "FAA has not established a process to measure or track these additional operational benefits because it states these benefits are difficult to quantify." It is also important to note that the FAA has yet to quantify the harm to health and property that the NextGen program has created for residents and wildlife living beneath concentrated flight paths.

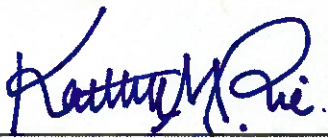
We are concerned that the NextGen program has failed to meet the bare minimum standards for success. Currently, the FAA continues to introduce and implement concentrated flight procedures with Performance Based Navigation throughout the country. The FAA boasts profits for airlines, shipping companies, and other industry stakeholders<sup>[1]</sup>, but the burden of noise, health risks, and declining property values falls on the backs of hard-working Americans. We urge the FAA to fast-track the development of new flight paths in all Metroplexes and at other airports with NextGen procedures that will significantly disperse air traffic and raise aircraft altitudes.

We would appreciate your review of the enclosed report and a detailed timeline of your plan to implement procedures that will mitigate harm to the communities we represent. We look forward to your prompt response.

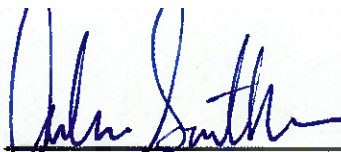
Sincerely,

  
Chris Van Hollen  
United States Senator  
Kamala D. Harris  
United States Senator  
Benjamin L. Cardin  
United States Senator  
Edward J. Markey  
United States Senator  
Jamie Raskin  
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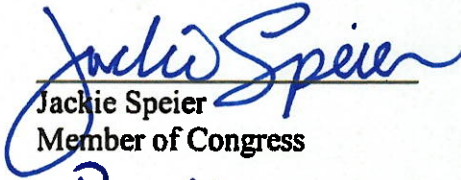
<sup>[1]</sup> Federal Aviation Administration. Fact Sheet – NextGen. (November 26, 2019).  
[https://www.faa.gov/news/fact\\_sheets/news\\_story.cfm?newsId=24434](https://www.faa.gov/news/fact_sheets/news_story.cfm?newsId=24434)



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