

United States Senate

October 26, 2017

The Honorable Attorney General Brian Frosh
200 St. Paul Place
Baltimore, MD 21202

Dear Attorney General Frosh:

We were pleased to learn that you are considering legal action to address the impacts of the Federal Aviation Administration's Next Generation Air Transportation System (NextGen), the Optimization of Airspace and Procedures in the Metroplex (OAPM), and other new flight paths on Maryland citizens. This very important issue affects the health and well-being of thousands of our constituents, and we are encouraged that your office is in the process of seeking outside counsel to assist in this effort.

As you know, more than two years ago the FAA utilized satellite technology to narrow air traffic into a beeline over residential neighborhoods and schools. Commercial aircraft traveling to and from Reagan National (DCA) and BWI Airports speed overhead at low altitudes every few minutes, shaking the walls of the homes and buildings beneath. Students can't enjoy recess or focus on work. Residents can no longer experience peace and quiet inside their homes, and their property values have already been adversely affected. Many homeowners have observed a residue buildup on their cars, roofs, and windows. Our constituents have frequently expressed concern that neither the cumulative sound nor particulate matter produced by perpetual jet engines were adequately studied for adverse health risks by the FAA before imposing flight corridors over their communities.

In October 2015, at the behest of the FAA, the Metropolitan Washington Airports Authority (MWAA) established the Reagan National Community Noise Working Group in order to deflect the responsibility of addressing noise and health complaints onto various representatives of the affected communities. Community representatives from Maryland were not initially represented on the Working Group, and several critical votes in that body were taken before representatives from Montgomery and Prince George's Counties were present. To date, and despite dozens of meetings of the Working Group, the FAA has taken no substantive action to alleviate the suffering of families beneath the new flight paths.

Similarly, in March 2017, again at the behest of the FAA, the Maryland Aviation Administration established the DC Metroplex BWI Community Roundtable and invited community representatives to participate. At its first meeting, the Roundtable approved unanimously a resolution calling on the FAA to use its satellite technology to revert to the flight paths of the pre-NextGen routes. We supported the Roundtable's resolution along with

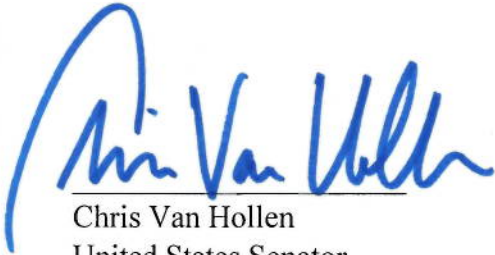
Congressmen Steny H. Hoyer, Elijah Cummings, C.A. Dutch Ruppersberger, John Sarbanes, John K. Delaney, Anthony Brown, and Jamie Raskin, but the FAA has yet to adopt it.

We continue to receive complaints from residents that commercial airliners fly over their homes and schools every few minutes from 5:00 a.m. to midnight at altitudes below 3,000 feet. We continue to receive concerned phone calls and emails from people who are worried about the cumulative health risks and financial impacts of noise and particulate matter on their communities. More than two years after implementation, the FAA has yet to make any substantive changes to these shifted and narrowed flight paths, and communities around airports nationwide have experienced similar results.

We are working on legislative strategies, both through the appropriations and authorization process, to ensure that the FAA gives additional consideration to cumulative noise impacts and works more cooperatively with local communities on flight path issues. However, given the impacts of this issue and the effort that has occurred to date, it is critical to pursue all angles to find a solution.

We join you in your effort to bring much-needed relief to Maryland families and will continue to pursue legislative solutions on Capitol Hill.

Sincerely,



Chris Van Hollen
United States Senator



Ben Cardin
United States Senator