



U.S. Department
of Transportation

**Federal Aviation
Administration**

Office of the Regional Administrator
Eastern Region

1 Aviation Plaza
Jamaica, NY 11434

July 29, 2022

The Honorable Chris Van Hollen
United States Senator
111 Rockville Pike, Suite 960
Rockville, MD 20850

Dear Senator Van Hollen:

Thank you for contacting the Federal Aviation Administration (FAA), regarding the Baltimore Washington International (BWI) Roundtable inquiry related to the implementation of performance-based airspace procedure enhancements. We appreciate you taking the time to share your concerns with our office. The FAA's mission is to provide the safest, most efficient aerospace system in the world.

The FAA Modernization and Reform Act of 2012 (the 2012 Act) was enacted in February 2012 to help modernize the nation's air transportation system. Among other provisions, the 2012 Act required the implementation of performance-based airspace procedure enhancements at 35 of the nation's busiest airports and at any medium or small hub airports located within the same Metroplex area as determined by the FAA Administrator. The FAA successfully completed airports identified in the 2012 Act in 2021.

In 2022, the FAA committed to use major infrastructure funds to further improve airspace infrastructure through data driven analysis. The FAA will move from single-site and single-procedure modernization efforts towards data-driven priorities that deliver more holistic and sustainable benefits for the National Airspace System (NAS). The FAA is committed to safety, and for that reason we will review the procedural air route needs of each airport in the NAS, rate the needs against safety and efficiency criteria and develop and prioritize a list of airports which will receive procedural changes. The FAA recognizes the BWI Roundtable and the DCA Working Groups enthusiasm for this process.

The FAA builds its' procedures in accordance with Federal Aviation Regulation (FAR). NextGen by and large overlaid existing departure and approach procedures into airports and reduced burdens on Air Traffic Control (ATC). It is safer for ATC and aircraft operators, when there is a Global Position System waypoints established as reference such that ATC can direct aircraft through simple instruction rather than continuously guiding a pilot along a route also known as vectoring aircraft. Dispersing aircraft whether over existing communities or new ones, does not in and of itself increase fuel savings, it does increase miles flown and thereby more pollutants. Similarly raising altitudes must account for the capability of an aircraft to attain the desired altitude safely.

Job creation is not an FAA priority, but a local one. Airport Operators are increasingly expanding their operations to this end. Airports in conjunction with local municipalities determine land usage around airports. Residential developers build in accordance with regulations and codes established by local government.

Lastly, the FAA accepts its mandates and authority through acts and reauthorization. As previously stated, NextGen implementation was directed by the FAA Modernization and Reform Act of 2012. As you are well aware, for a bill to become an act, the text must pass through both houses (Congress and Senate) with a majority, then be either signed into law by the President of the United States or receive congressional override against a presidential veto. These acts would be difficult for the Regional Administrator to pursue when it is not in the RA's purview to enact such a request which resides in the authority of the legislative branch.

We hope that this response proves helpful in addressing your concerns. The FAA continues to manage the national airspace system safely and efficiently while also exploring measures to reduce noise from aircraft in the future.

Sincerely,

Marie Kennington-Gardiner
Regional Administrator

Enclosure
Transmitted Correspondence