

116TH CONGRESS
1ST SESSION

H. R. 5108

To require the Administrator of the Federal Aviation Administration to continue processing the proposed SFO NIITE Departure Southbound Transition and the OAK HUSSH Departure Southbound Transition, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2019

Ms. SPEIER (for herself, Ms. ESHOO, and Mr. RASKIN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To require the Administrator of the Federal Aviation Administration to continue processing the proposed SFO NIITE Departure Southbound Transition and the OAK HUSSH Departure Southbound Transition, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Southbound HUSSH
5 and NIITE Help Households Act” or the “SHHH Act”.

6 **SEC. 2. PROCESSING OF DEPARTURE TRANSITION.**

7 (a) IN GENERAL.—The Administrator shall—

(1) continue processing the proposed SFO NIITE Departure Southbound Transition and the OAK HUSSH Departure Southbound Transition in accordance with the recommendation of the San Francisco International Airport/Community Roundtable (in this Act referred to as the “SFO RT”) and the Select Committee on South Bay Arrivals; and

(2) render a determination as to adoption of the proposal.

(b) COLLABORATION.—

(1) IN GENERAL.—The Administrator shall work collaboratively with the SFO RT to provide technical assistance, including—

(A) appropriate FAA technical staff;

(B) data relating to the NIITE/HUSSH Departures;

(C) the proposed southbound transition;

and

(D) other related or impacted flight procedures.

(2) DATA.—The data described in subparagraphs (B), (C), and (D) of paragraph (1) shall include, at a minimum, AEDT noise modeling, operational data, TARGETS data, and other pertinent data.

1 (c) REQUIREMENTS.—

2 (1) IN GENERAL.—The Administrator may not
3 prevent the SFO RT from entering the proposed
4 NIITE Departure or HUSSH Departure South-
5 bound Transition procedures into the IFP Gateway
6 unless the Administrator determines that doing so is
7 necessary for safety reasons that cannot be rem-
8 edied.

9 (2) ANALYSIS.—If the Administrator makes the
10 determination described in paragraph (1), the Ad-
11 ministrator shall—

12 (A) provide detailed analysis and provide
13 procedure alternatives in order to solve the
14 safety concerns, if possible; and

15 (B) submit or process the procedure for
16 the southbound transitions in accordance with
17 safety considerations.

18 (d) PROCESSING.—After the NIITE Departure
19 Southbound Transition or the HUSSH Departure South-
20 bound Transitions has been entered into the IFP Gate-
21 way, the Administrator shall convene necessary groups
22 and committees and take other actions pursuant to Order
23 JO7100.41A to expeditiously process the NIITE HUSSH
24 Southbound Transitions.

1 (e) IMPLEMENTATION.—The Administrator shall im-
2 plement the proposed addition of a southbound transition
3 to each of the NIITE and HUSSH nighttime noise abate-
4 ment departures with the same conditions as the oper-
5 ations of the NIITE and HUSSH existing transitions as
6 in effect on the date of enactment of this Act, including
7 operating hours of 10:00 p.m. to 7:00 a.m. every day of
8 the week.

9 (f) PARTICIPATION.—The Administrator shall permit
10 the SFO Roundtable to send aviation technical representa-
11 tives and consultants to participate in the NIITE and
12 HUSSH PBN Implementation Process (Order
13 JO7100.41) as members of the core working group, full
14 working group, or other groups on the same terms and
15 conditions as the participation by an airport, airline indus-
16 try, or a procedure proponent.

17 (g) PROCESS.—The Administrator shall follow the
18 prescribed process as specified in the FAA PBN Imple-
19 mentation Process (Order JO7100.41) and shall not gra-
20 tuitously withhold permissions or add requirements that
21 would block continuation to successful conclusion of the
22 NIITE or HUSSH PBN Implementation processes.

23 **SEC. 3. REPORT.**

24 The Administrator shall submit to the appropriate
25 congressional committees a report if—

1 (1) on the date that is 60 days after the date
2 of enactment of this Act, the NIITE Departure
3 Southbound Transition and the HUSSH Departure
4 Southbound Transition have not been entered into
5 the IFP Gateway;

6 (2) on the date that is 90 days after the entry
7 of the proposed procedure into the IFP Gateway, the
8 NIITE Departure Southbound Transition and the
9 HUSSH Departure Southbound Transition have not
10 completed Order JO7100.41 Phase One Preliminary
11 Activities;

12 (3) on the date that is 180 days after the date
13 of entry of the proposed procedure into the IFP
14 Gateway, the NIITE Departure Southbound Transi-
15 tion and the HUSSH Departure Southbound Tran-
16 sition have not completed Order JO7100.41 Phase
17 Two Design Activities; and

18 (4) on the date that is 2 years after the date
19 of entry into the IFP Gateway, the NIITE Departure
20 Southbound Transition and the HUSSH Departure
21 Southbound Transition are not fully imple-
22 mented by publication and use of the Southbound
23 Transitions.

24 **SEC. 4. DEFINITIONS.**

25 In this Act, the following definitions apply:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the FAA.

3 (2) AEDT.—The term “AEDT” means Avia-
4 tion Environmental Design Tool.

5 (3) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means the Committee on Commerce,
8 Science, and Transportation of the Senate and the
9 Committee on Transportation and Infrastructure of
10 the House of Representatives.

11 (4) CORE WORKING GROUP.—The term “core
12 working group” means a group of individuals listed
13 in the PBN process that, during the Preliminary Ac-
14 tivities—

15 (A) documents and records baseline data
16 used for analysis;

17 (B) identifies and documents expected ben-
18 efits for the project;

19 (C) designs or reviews conceptual proce-
20 dures or routes in TARGETS;

21 (D) reviews applicable PBN-related knowl-
22 edge databases and historical documents; and

23 (E) identifies additional significant infor-
24 mation and potential risks associated with the
25 project.

1 (5) FAA.—The term “FAA” means the Fed-
2 eral Aviation Administration.

3 (6) FULL WORKING GROUP.—The term “full
4 working group” means a committee of participants
5 in the PBN process most often consisting of the
6 FAA, airlines, an airport authority, and other indus-
7 try representatives.

8 (7) IFP GATEWAY.—The term “IFP Gateway”
9 means the Instrument Flight Procedures Gateway.

10 (8) OAK.—The term “OAK” means Oakland
11 Metropolitan Airport.

12 (9) PBN.—The term “PBN” means perform-
13 ance based navigation.

14 (10) PROPONENT.—The term “proponent”
15 means the originator of a departure procedure re-
16 quirement, including an individual user group, ATC,
17 Aeronautical Information Service, or other appro-
18 priate government agency.

19 (11) SFO.—The term “SFO” means San
20 Francisco International Airport.

21 (12) TARGETS.—The term “TARGETS”
22 means Terminal Area Route Generation Evaluation
23 and Traffic Simulation.

