

117TH CONGRESS
1ST SESSION

H. R. 4930

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

AUGUST 3, 2021

Ms. SPEIER (for herself, Mr. PANETTA, and Ms. ESHOO) 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 (1) continue processing the proposed SFO
2 NIITE Departure Southbound Transition and the
3 OAK HUSSH Departure Southbound Transition in
4 accordance with the recommendation of the San
5 Francisco International Airport/Community Round-
6 table (in this Act referred to as the “SFO RT”) and
7 the Select Committee on South Bay Arrivals; and

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

10 (b) COLLABORATION.—

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

14 (A) appropriate FAA technical staff;

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

17 (C) the proposed southbound transition;

18 and

19 (D) other related or impacted flight proce-
20 dures.

21 (2) DATA.—The data described in subpara-
22 graphs (B), (C), and (D) of paragraph (1) shall in-
23 clude, at a minimum, AEDT noise modeling, oper-
24 ational data, TARGETS data, and other pertinent
25 data.

1 (c) REQUIREMENTS.—

2 (1) IN GENERAL.—Without regard to any FAA
3 version of a NIITE/HUSSH Southbound procedure
4 proposed by the FAA, the Administrator may not
5 prevent the SFO RT from initiating their own pro-
6 posed NIITE Departure or HUSSH Departure
7 Southbound Transition procedures through the IFP
8 Gateway or other process unless the Administrator
9 determines that blocking the public initiation is nec-
10 essary for safety reasons which cannot be remedied.

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

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

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

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

1 JO7100.41A to expeditiously process the NIITE HUSSH
2 Southbound Transitions.

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

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

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

1 **SEC. 3. REPORT.**

2 The Administrator shall submit to the appropriate
3 congressional committees a report if—

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

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

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

21 (4) on the date that is 2 years after the date
22 of entry into the IFP Gateway, the NIITE Depar-
23 ture Southbound Transition and the HUSSH De-
24 parture Southbound Transition are not fully imple-
25 mented by publication and use of the Southbound
26 Transitions.

1 **SEC. 4. DEFINITIONS.**

2 In this Act, the following definitions apply:

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

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

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

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

17 (A) documents and records baseline data
18 used for analysis;

19 (B) identifies and documents expected ben-
20 efits for the project;

21 (C) designs or reviews conceptual proce-
22 dures or routes in TARGETS;

23 (D) reviews applicable PBN-related knowl-
24 edge databases and historical documents; and

1 (E) identifies additional significant infor-
2 mation and potential risks associated with the
3 project.

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

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

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

13 (8) OAK.—The term “OAK” means Oakland
14 Metropolitan Airport.

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

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

22 (11) SFO.—The term “SFO” means San
23 Francisco International Airport.

1 (12) TARGETS.—The term “TARGETS”
2 means Terminal Area Route Generation Evaluation
3 and Traffic Simulation.

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