

Union Calendar No. 498

106TH CONGRESS
2D SESSION

H. R. 3661

[Report No. 106–841, Part I]

To help ensure general aviation aircraft access to Federal land and to the airspace over that land.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2000

Mr. HANSEN (for himself, Mr. YOUNG of Alaska, Mr. PETERSON of Minnesota, Mr. DUNCAN, Mr. GALLEGLY, Mr. HAYES, Mr. HEFLEY, Mrs. CUBIN, Mr. MCINNIS, Mrs. CHENOWETH-HAGE, Mr. JENKINS, Mr. SHADEGG, Mr. JONES of North Carolina, Mr. GIBBONS, Mr. RADANOVICH, and Mr. CANNON) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 12, 2000

Additional sponsors: Mr. COBLE, Mr. BURTON of Indiana, Mr. MORAN of Kansas, Mr. BASS, Mr. BOSWELL, Mr. LEWIS of Kentucky, Mr. BACHUS, Mr. STUMP, Mr. SWEENEY, Mr. SIMPSON, Mr. ISAKSON, Mr. HASTINGS of Washington, Mr. NETHERCUTT, Mr. METCALF, and Mr. WALDEN of Oregon

SEPTEMBER 12, 2000

Reported from the Committee on Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

SEPTEMBER 12, 2000

Referral to the Committees on Agriculture and Transportation and Infrastructure extended for a period ending not later than September 12, 2000

SEPTEMBER 12, 2000

The Committees on Agriculture and Transportation and Infrastructure dis-

charged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on February 15, 2000]

A BILL

To help ensure general aviation aircraft access to Federal land and to the airspace over that land.

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 “Backcountry Landing*
 5 *Strip Access Act”.*

6 **SEC. 2. FINDINGS.**

7 *The Congress finds as follows:*

8 *(1) The Secretary of the Interior and the Sec-*
 9 *retary of Agriculture should adopt a nationwide pol-*
 10 *icy for governing backcountry aviation issues related*
 11 *to the management of Federal land under the juris-*
 12 *isdiction of those Secretaries and should require re-*
 13 *gional managers to adhere to that policy.*

14 *(2) Aircraft landing strips serve an essential*
 15 *safety role as emergency landing areas.*

16 *(3) Aircraft landing strips provide access to peo-*
 17 *ple who would otherwise be physically unable to enjoy*
 18 *national parks, national forests, and other Federal*

1 *lands and serve an essential purpose in search and*
2 *rescue, firefighting, forest, and ecological manage-*
3 *ment, research, and aerial mapping.*

4 **SEC. 3. PROCEDURE FOR CONSIDERATION OF ACTIONS AF-**
5 **FFECTING AIRCRAFT LANDING STRIPS.**

6 *(a) IN GENERAL.—Neither the Secretary of the Inte-*
7 *rior nor the Secretary of Agriculture shall take any action*
8 *which would permanently close or render or declare as un-*
9 *serviceable any aircraft landing strip located on Federal*
10 *land under the administrative jurisdiction of either Sec-*
11 *retary unless—*

12 *(1) the head of the aviation department of each*
13 *State in which the aircraft landing strip is located*
14 *has approved the action;*

15 *(2) notice of the proposed action and the fact*
16 *that the action would permanently close or render or*
17 *declare as unserviceable the aircraft landing strip has*
18 *been published in the Federal Register;*

19 *(3) a 90-day public comment period on the ac-*
20 *tion has been provided after the publication under*
21 *paragraph (2); and*

22 *(4) any comments received during the comment*
23 *period provided under paragraph (3) have been taken*
24 *into consideration by the Secretary of the Interior or*
25 *the Secretary of Agriculture, as the case may be, and*

1 *the head of the aviation department of each State in*
 2 *which the affected aircraft landing strip is located.*

3 (b) *NATIONAL POLICY.*—*Not later than 2 years after*
 4 *the date of the enactment of this Act, the Secretary of the*
 5 *Interior and the Secretary of Agriculture shall—*

6 (1) *adopt a nationwide policy that is in accord-*
 7 *ance with this Act for governing backcountry aviation*
 8 *issues related to the management of Federal land*
 9 *under the jurisdiction of those Secretaries; and*

10 (2) *require regional managers to adhere to that*
 11 *policy.*

12 (c) *REQUIREMENTS FOR POLICIES.*—*A policy affecting*
 13 *air access to an aircraft landing strip located on Federal*
 14 *land under the jurisdiction of the Secretary of the Interior*
 15 *or the Secretary of Agriculture, including the policy re-*
 16 *quired by subsection (b), shall not take effect unless the*
 17 *policy—*

18 (1) *states that the Federal Aviation Administra-*
 19 *tion has the sole authority to control aviation and*
 20 *airspace over the United States; and*

21 (2) *seeks and considers comments from State*
 22 *governments and the public.*

23 (d) *MAINTENANCE OF AIRSTRIPS.*—

24 (1) *IN GENERAL.*—*The Secretary of the Interior*
 25 *and the Secretary of Agriculture shall consult with—*

1 (A) the head of the aviation department of
2 each State in which an aircraft landing strip on
3 Federal land under the jurisdiction of that Sec-
4 retary is located; and

5 (B) other interested parties,
6 to ensure that such aircraft landing strips are main-
7 tained in a manner that is consistent with the re-
8 source values of the adjacent area.

9 (2) COOPERATIVE AGREEMENTS.—The Secretary
10 of the Interior and the Secretary of Agriculture may
11 enter into cooperative agreements with interested par-
12 ties for the maintenance of aircraft landing strips lo-
13 cated on Federal land.

14 (e) EXCHANGES OR ACQUISITIONS.—Closure or pur-
15 poseful neglect of any aircraft landing strip, or any other
16 action which would render any aircraft landing strip un-
17 serviceable, shall not be a condition of any Federal acquisi-
18 tion of or exchange involving private property upon which
19 the aircraft landing strip is located.

20 (f) NEW AIRCRAFT LANDING STRIPS NOT CREATED.—
21 Nothing in this Act shall be construed to create or authorize
22 additional aircraft landing strips.

23 (g) PERMANENTLY CLOSE.—For the purposes of this
24 Act, the term “permanently close” means any closure the

1 *duration of which is more than 180 days in any calendar*
2 *year.*

3 *(h) APPLICABILITY.—*

4 *(1) AIRCRAFT LANDING STRIPS.—This Act shall*
5 *apply only to established aircraft landing strips on*
6 *Federal lands administered by the Secretary of the*
7 *Interior or the Secretary of Agriculture that are com-*
8 *monly known and have been or are consistently used*
9 *for aircraft landing and departure activities.*

10 *(2) ACTIONS, POLICIES, EXCHANGES, AND ACQUI-*
11 *SITIONS.—Subsections (a), (c), and (e) shall apply to*
12 *any action, policy, exchange, or acquisition, respec-*
13 *tively, that is not final on the date of the enactment*
14 *of this Act.*

15 *(i) FAA AUTHORITY NOT AFFECTED.—Nothing in this*
16 *Act shall be construed to affect the authority of the Federal*
17 *Aviation Administration over aviation or airspace.*

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