

104TH CONGRESS  
2D SESSION

# H. R. 4108

To authorize the sale of excess Department of Defense aircraft to facilitate the suppression of wildfire.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 1996

Mr. RICHARDSON (for himself, Mr. SCHIFF, Mr. CRAPO, and Ms. FURSE), introduced the following bill; which was referred to the Committee on Government Reform and Oversight, and in addition to the Committees on Agriculture, and National Security, 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

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## A BILL

To authorize the sale of excess Department of Defense aircraft to facilitate the suppression of wildfire.

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 “Wildfire Suppression  
5 Aircraft Transfer Act of 1996”.

1 **SEC. 2. AUTHORITY TO SELL AIRCRAFT AND PARTS FOR**  
2 **WILDFIRE SUPPRESSION PURPOSES.**

3 (a) **AUTHORITY.**—(1) Notwithstanding section 202 of  
4 the Federal Property and Administrative Services Act of  
5 1949 (40 U.S.C. 483) and subject to subsections (b) and  
6 (c), the Secretary of Defense may sell the aircraft and air-  
7 craft parts referred to in paragraph (2) to persons or enti-  
8 ties that contract with the Federal Government for the  
9 delivery of fire retardant by air in order to suppress wild-  
10 fire.

11 (2) Paragraph (1) applies to aircraft and aircraft  
12 parts of the Department of Defense that are—

13 (A) excess to the Department; and

14 (B) acceptable for commercial sale.

15 (b) **CONDITION OF SALE.**—Aircraft and aircraft  
16 parts sold under subsection (a) may be used only for the  
17 provision of airtanker services for wildfire suppression  
18 purposes.

19 (c) **CERTIFICATION OF PERSONS AND ENTITIES.**—  
20 The Secretary of Defense may sell aircraft and aircraft  
21 parts to a person or entity under subsection (a) only if  
22 the Secretary of Agriculture certifies to the Secretary of  
23 Defense, in writing, before the sale that the person or en-  
24 tity is capable of meeting the terms and conditions of a  
25 contract to deliver fire retardant by air.

1           (d) ADDITIONAL TERMS AND CONDITIONS.—The  
2 Secretary of Defense may require such terms and condi-  
3 tions in connection with each sale of aircraft and aircraft  
4 parts under this section as the Secretary considers appro-  
5 priate for such sale. Such terms and conditions shall meet  
6 the requirements of regulations prescribed by the Sec-  
7 retary, in consultation with the Secretary of Agriculture,  
8 the Administrator of General Services, and the heads of  
9 such other agencies as the Secretary of Defense considers  
10 appropriate. The Secretary of Defense shall prescribe such  
11 regulations as soon as practicable after the date of the  
12 enactment of this Act.

13           (e) CONSTRUCTION.—Nothing in this section may be  
14 construed as affecting the authority of the Administrator  
15 of the Federal Aviation Administration under any other  
16 provision of law.

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