

109TH CONGRESS
2^D SESSION

H. R. 4970

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2006

Mr. OTTER (for himself, Mr. SIMPSON, Mr. HASTINGS of Washington, and Mr. FLAKE) 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

A BILL

To ensure general aviation aircraft access to Federal land and to the airspace over Federal 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 Congress finds that—

8 (1) aircraft landing strips—

1 (A) serve an essential safety role as emer-
2 gency landing areas;

3 (B) provide access to people who would
4 otherwise be physically unable to enjoy national
5 parks, national forests, wilderness areas, and
6 other Federal land;

7 (C) support State economies by providing
8 efficient access for visitors seeking recreational
9 activities; and

10 (D) serve an essential role in search and
11 rescue, forest and ecological management, re-
12 search, wildlife management, aerial mapping,
13 firefighting, and disaster relief; and

14 (2) the Secretary of the Interior and the Sec-
15 retary of Agriculture should—

16 (A) adopt a nationwide policy for gov-
17 erning backcountry aviation issues relating to
18 the management of Federal land under the ju-
19 risdiction of the Secretaries; and

20 (B) require regional managers to comply
21 with the policy adopted under subparagraph
22 (A).

23 **SEC. 3. DEFINITIONS.**

24 In this Act:

1 or declare as unserviceable any aircraft landing strip un-
2 less—

3 (1) the head of the aviation department of each
4 State in which the aircraft landing strip is located
5 approves the action;

6 (2) the Secretary publishes in the Federal Reg-
7 ister notice of the proposed action, including notice
8 that the action would permanently close, restrict, or
9 render or declare as unserviceable the aircraft land-
10 ing strip;

11 (3) the Secretary provides for a 90-day public
12 comment period beginning on the date of publication
13 of the notice under paragraph (2); and

14 (4) the Secretary and the head of the aviation
15 department of each State in which the affected air-
16 craft landing strip is located have taken into consid-
17 eration any comments received during the comment
18 period under paragraph (3).

19 (b) POLICIES.—

20 (1) BACKCOUNTRY AVIATION POLICIES.—Not
21 later than 2 years after the date of enactment of
22 this Act, the Secretaries shall—

23 (A) adopt a nationwide policy for gov-
24 erning backcountry aviation issues relating to

1 the management of Federal land under the ju-
2 risdiction of the Secretaries; and

3 (B) require regional managers to adhere to
4 the policy adopted under subparagraph (A).

5 (2) REQUIREMENTS.—Any policy affecting air
6 access to an aircraft landing strip, including the pol-
7 icy adopted under paragraph (1), shall not take ef-
8 fect unless the policy—

9 (A) states that the Administrator has the
10 sole authority to control aviation and airspace
11 over the United States; and

12 (B) seeks and considers comments from
13 State governments and the public.

14 (c) MAINTENANCE OF AIRSTRIPS.—

15 (1) IN GENERAL.—To ensure that aircraft land-
16 ing strips are maintained in a manner that is con-
17 sistent with the resource values of any adjacent
18 area, the Secretary shall consult with—

19 (A) the head of the aviation department of
20 each State in which an aircraft landing strip is
21 located; and

22 (B) any other interested parties.

23 (2) COOPERATIVE AGREEMENTS.—The Sec-
24 retary may enter into cooperative agreements with

1 interested parties for the maintenance of aircraft
2 landing strips.

3 (d) EXCHANGES OR ACQUISITIONS.—There shall not
4 be as a condition of any Federal acquisition of, or ex-
5 change involving, private property on which a landing strip
6 is located—

7 (1) the closure or purposeful neglect of the
8 landing strip; or

9 (2) any other action that would restrict use or
10 render any landing strip unserviceable.

11 (e) APPLICABILITY.—Subsections (a), (b)(2), and (d)
12 shall apply to any action, policy, exchange, or acquisition,
13 respectively, that is not final on the date of enactment of
14 this Act.

15 (f) EFFECT ON FEDERAL AVIATION ADMINISTRA-
16 TION AUTHORITY.—Nothing in this Act affects the au-
17 thority of the Administrator over aviation or airspace.

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