

AMENDMENT TO RULES COMMITTEE PRINT 118-

11

OFFERED BY MR. CASE OF HAWAII

At the end of subtitle D of title II, add the following:

1 **SEC. ____ . AIR TOUR MANAGEMENT PLAN FOR CERTAIN**
2 **AREAS OF HAWAII.**

3 (a) AIR TOUR MANAGEMENT PLAN.—

4 (1) IN GENERAL.—Notwithstanding section
5 40128 of title 49, United States Code, subject to
6 paragraph (2), not later than 2 years after the date
7 of enactment of this section, the Administrator of
8 the Federal Aviation Administration, in consultation
9 with the Governor of Hawaii, shall establish an air
10 tour management plan for any area within the State
11 of Hawaii that is not located within the National
12 Park System.

13 (2) REQUIREMENTS.—The Administrator of the
14 Federal Aviation Administration shall enter into an
15 agreement with the Governor of Hawaii to establish
16 the contents of the plan required by paragraph (1),
17 the procedure for establishing such plan (including
18 with respect to any amendments to the plan), and

1 the responsibilities of each party to such agreement
2 in carrying out the plan.

3 (b) INTERIM AUTHORITY.—Until the date on which
4 the air tour management plan is established under sub-
5 section (a), the Administrator of the Federal Aviation Ad-
6 ministration may grant an air tour operator operating in
7 an area within the State of Hawaii that is not located
8 within the National Park System interim operating au-
9 thority for that area.

10 (c) NON-APPLICATION OF THE APA.—The provisions
11 of subchapter II of chapter 5, and chapter 7, of title 5,
12 United States Code (commonly known as the “Administra-
13 tive Procedure Act”) shall not apply to the establishment
14 of an air tour management plan under this section.

