

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3935
OFFERED BY MR. MAST OF FLORIDA**

At the end of title VIII, add the following:

1 **SEC. 834. LIMITED REGULATION OF NON-FEDERALLY SPON-**
2 **SORED PROPERTY.**

3 (a) IN GENERAL.—The Administrator of the Federal
4 Aviation Administration shall issue a final determination
5 on the applicability of section 163 of the FAA Reauthor-
6 ization Act of 2018 (49 U.S.C. 47107 note) not later than
7 40 days after receipt of a request from an airport sponsor
8 for such determination.

9 (b) FAILURE TO ACT.—If the Administrator fails to
10 act within the time period described in subsection (a), the
11 proposed land use for which a determination under such
12 subsection was requested shall conclusively be deemed to
13 be outside the jurisdiction pf the Federal Aviation Admin-
14 istration pursuant to section 163 of the FAA Reauthoriza-
15 tion Act of 2018 (49 U.S.C. 47107 note).

16 (c) DETERMINATION.—If the Administrator deter-
17 mines that the Federal Aviation Administration retains ju-
18 risdiction over a proposed land use for which a determina-
19 tion under subsection (a) was requested under section 163

1 of the FAA Reauthorization Act of 2018 (49 U.S.C.
2 47107 note), and further determines that review under the
3 National Environmental Policy Act of 1969 (42 U.S.C.
4 4321 et seq.) is required for such proposed land use, the
5 Administrator shall formally initiate the review process
6 under the National Environmental Policy Act of 1969 (42
7 U.S.C. 4321 et seq.) not later than 90 days after the
8 issuance of the final determination of the Administrator.

