AMENDMENT TO
RULES COMMITTEE PRINT 115–25
OFFERED BY MS. DEGETTE OF COLORADO

Page 386, after line 19, insert the following:

SEC. __. LIMITED REGULATION OF NON-FEDERALLY
SPONSORED PROPERTY.

(a) IN GENERAL.—Except as provided by subsection
(b), the Secretary of Transportation may not directly or
indirectly regulate—

(1) the acquisition, use, lease, encumbrance,
transfer, or disposal of land by an airport owner or
operator;

(2) any non-Federal facility upon such land; or

(3) any portion of such land or facility.

(b) EXCEPTIONS.—Subsection (a) does not apply to
any regulation—

(1) ensuring—

(A) the safe and efficient operation of air-
craft and airports, including the safety of peo-
ple and property on the ground;

(B) that an airport owner or operator re-
ceives not less than fair market value for the
lease, use, encumbrance, transfer, or disposal of
land, any facilities on such land, or any portion
of such land or facilities; or

(C) that the airport pays not more than
fair market value for the acquisition of land or
facilities on such land; or

(2) imposed with respect to—

(A) any land or a facility acquired or modi-

fied using—

(i) Federal financial assistance, in-
cluding Federal grants; or

(ii) passenger facility charge revenues
collected under section 40117 of title 49,
United States Code; or

(B) any land conveyed to the airport, in-
cluding its predecessors or successors, by the
United States or any agency thereof.

(c) RULE OF CONSTRUCTION.—Nothing in this sec-

tion shall be construed to affect the applicability of section
47107(b) or 47133 of title 49, United States Code, to rev-

enues generated by the use, lease, encumbrance, transfer,
or disposal of land as described in subsection (a), facilities
upon such land, or any portion of such land or facilities.