

Amendment #4\*

**Amendment to the Amendment in the Nature of a Substitute to H.R. 823  
Offered by Mr. Lamborn**

Page 36, starting line 13, strike the text through page 37, line 2.

At the end of the amendment, add the following:

**TITLE V- EFFECT OF ACT**

Nothing in this Act or an amendment made by this Act restricts or precludes—

- (1) any low-level overflight of military aircraft over any area subject to this Act or an amendment made by this Act, including military overflights that can be seen, heard, or detected within such an area;
- (2) flight testing or evaluation over an area described in paragraph (1);
- (3) the use or establishment of—
  - (A) Any new unit of special use airspace over an area described in paragraph (1); or
  - (B) Any military flight training or transportation over such an area; or
- (4) military aircraft from deviating from service level requirements if oxygen requirements, icing levels, engine power limitations, cloud clearances, or turbulence prevent such aircraft from safely transiting an area described in paragraph (1) while maintaining such service level requirements, as determined by the Secretary of Defense.