

115TH CONGRESS  
2D SESSION

# H. R. 4798

To provide for an inventory of Federal assets on which a communications facility could be constructed or that could otherwise be made available for use in connection with the construction or operation of a communications facility or provision of communications service.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2018

Mr. COLLINS of New York introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, 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

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## A BILL

To provide for an inventory of Federal assets on which a communications facility could be constructed or that could otherwise be made available for use in connection with the construction or operation of a communications facility or provision of communications service.

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 “Inventory of Assets  
5 for Communications Facilities Act of 2018”.

1 **SEC. 2. INVENTORY OF FEDERAL ASSETS.**

2 (a) IN GENERAL.—Not later than 1 year after the  
3 date of the enactment of this Act—

4 (1) the Administrator of General Services, in  
5 coordination with the Assistant Secretary of Com-  
6 merce for Communications and Information, shall  
7 ensure that the database established under section  
8 5(c) of Executive Order 13327 (69 Fed. Reg. 5895)  
9 includes an inventory of covered assets, which shall  
10 include the information provided under subsections  
11 (b) and (c);

12 (2) the Administrator shall make such inven-  
13 tory available to the Assistant Secretary for pur-  
14 poses of paragraph (3); and

15 (3) the Assistant Secretary shall make such in-  
16 ventory available to any entity that constructs or op-  
17 erates communications facilities or provides commu-  
18 nications service.

19 (b) PROVISION OF INFORMATION BY EXECUTIVE  
20 AGENCIES.—

21 (1) IN GENERAL.—Not later than 9 months  
22 after the date of the enactment of this Act, the head  
23 of an Executive agency shall provide to the Adminis-  
24 trator, in a manner and format to be determined by  
25 the Administrator, the information described in

1 paragraph (2) with respect to a covered asset of  
2 such agency.

3 (2) INFORMATION DESCRIBED.—The informa-  
4 tion described in this paragraph is—

5 (A) the location of the covered asset;

6 (B) the type of the covered asset, such as  
7 whether the asset is a building (and the type of  
8 building), land (and the type or use of the  
9 land), right-of-way, easement, utility pole, wire-  
10 less communications tower, underground utility  
11 route, or cable on which capacity is available for  
12 lease;

13 (C) contact information for an officer or  
14 employee of the agency who may be contacted  
15 for permitting or other information about the  
16 covered asset;

17 (D) whether the covered asset is historic  
18 property (as defined in section 300308 of title  
19 54, United States Code); and

20 (E) such other information as the Admin-  
21 istrator considers appropriate.

22 (3) PROVISION OF UPDATED INFORMATION.—

23 (A) CHANGE IN INFORMATION.—In the  
24 case of a change in any of the information pro-  
25 vided to the Administrator under paragraph (1)

1 with respect to a covered asset of an Executive  
2 agency, the head of such agency shall provide  
3 updated information to the Administrator not  
4 later than 30 days after such change.

5 (B) ACQUISITION OF NEW COVERED  
6 ASSET.—In the case of the acquisition of a cov-  
7 ered asset by an Executive agency after the  
8 date that is 9 months after the date of the en-  
9 actment of this Act, the head of such agency  
10 shall provide to the Administrator the informa-  
11 tion required by paragraph (1) with respect to  
12 such asset not later than 30 days after such ac-  
13 quisition.

14 (4) EXCLUSION OF INFORMATION FOR NA-  
15 TIONAL SECURITY REASONS.—

16 (A) CLASSIFIED INFORMATION.—The head  
17 of an Executive agency may exclude classified  
18 information from the information provided to  
19 the Administrator under this subsection.

20 (B) OTHER INFORMATION.—If the head of  
21 an Executive agency determines, in consultation  
22 with the Administrator, that inclusion of infor-  
23 mation (other than classified information)  
24 about a covered asset of such agency in the in-  
25 ventory established under subsection (a) would

1           harm national security, the head of the agency  
2           may exclude such information from the infor-  
3           mation provided to the Administrator under  
4           this subsection.

5           (C) CLASSIFIED INFORMATION DE-  
6           FINED.—In this paragraph, the term “classified  
7           information” means any information or mate-  
8           rial that has been determined by the Federal  
9           Government pursuant to an Executive order,  
10          statute, or regulation, to require protection  
11          against unauthorized disclosure for reasons of  
12          national security and any restricted data, as de-  
13          fined in section 11 y. of the Atomic Energy Act  
14          of 1954 (42 U.S.C. 2014(y)).

15          (c) INFORMATION ON STATE AND LOCAL ASSETS.—

16           (1) VOLUNTARY PROVISION OF INFORMA-  
17          TION.—A State or local government may provide to  
18          the Administrator for inclusion in the inventory es-  
19          tablished under subsection (a), in a manner and for-  
20          mat to be determined by the Administrator, informa-  
21          tion with respect to a State or local asset that would  
22          be a covered asset if under the custody and control  
23          of an Executive agency.

24           (2) INCLUSION OF INFORMATION.—The Admin-  
25          istrator shall include in such inventory any informa-

1       tion provided by a State or local government in ac-  
2       cordance with paragraph (1) in the same manner as  
3       information provided by an Executive agency under  
4       subsection (b).

5           (3) PROVISION OF UPDATED INFORMATION.—In  
6       the case of a change in any of the information pro-  
7       vided to the Administrator under paragraph (1) with  
8       respect to a State or local asset, the State or local  
9       government shall provide updated information to the  
10      Administrator not later than 30 days after such  
11      change. If a State or local government does not com-  
12      ply with the preceding sentence, the Administrator  
13      shall deny the State or local government access to  
14      the inventory established under subsection (a).

15      (d) UPDATING OF INVENTORY.—After the establish-  
16      ment of the inventory under subsection (a), the Adminis-  
17      trator shall include in the inventory information provided  
18      under subsection (b) or (c) not later than the date that  
19      is 7 days after the Administrator receives such informa-  
20      tion. The information with respect to each covered asset  
21      or State or local asset in the inventory shall include the  
22      most recent date on which such information was added  
23      or updated.

24      (e) FORMAT OF LOCATION INFORMATION.—The in-  
25      formation in the inventory established under subsection

1 (a) about the location of a covered asset or State or local  
2 asset shall be in Geographic Information System format  
3 or another format that the Administrator considers appro-  
4 priate.

5 (f) INFORMATION SECURITY.—The Administrator  
6 shall adopt measures to prevent unauthorized access to the  
7 information in the inventory established under subsection  
8 (a).

9 (g) DEFINITIONS.—In this section:

10 (1) ADMINISTRATOR.—The term “Adminis-  
11 trator” means the Administrator of General Serv-  
12 ices.

13 (2) ASSISTANT SECRETARY.—The term “Assist-  
14 ant Secretary” means the Assistant Secretary of  
15 Commerce for Communications and Information.

16 (3) COMMUNICATIONS FACILITY.—The term  
17 “communications facility” includes—

18 (A) any wireless or wireline infrastructure  
19 for the transmission of writing, signs, signals,  
20 data, images, pictures, or sounds of all kinds;

21 (B) any transmitting device, tower, or sup-  
22 port structure, and any equipment, switches,  
23 wiring, cabling, power sources, shelters, or cabi-  
24 nets, associated with the provision of commu-  
25 nications services; and

1 (C) any antenna or apparatus that—

2 (i) is designed for the purpose of  
3 emitting radio frequency;

4 (ii) is designed to be operated, or is  
5 operating, from a fixed location; and

6 (iii) is added to a tower, building, or  
7 other structure.

8 (4) COMMUNICATIONS SERVICE.—The term  
9 “communications service” means a service for the  
10 transmission of writing, signs, signals, data, images,  
11 pictures, or sounds of all kinds.

12 (5) COVERED ASSET.—The term “covered  
13 asset” means, with respect to an agency, any Fed-  
14 eral real property (as defined in section 2(a) of Ex-  
15 ecutive Order 13327 (69 Fed. Reg. 5895)) under  
16 the custody and control of such agency—

17 (A)(i) on which a broadband communica-  
18 tions facility could be constructed; or

19 (ii) that could otherwise be made available  
20 to an entity that—

21 (I) constructs or operates broadband  
22 communications facilities for use in con-  
23 nection with such construction or oper-  
24 ation; or



1                   (II) provides broadband communica-  
2                   tions service for use in connection with  
3                   such provision; and

4                   (B) that is suitable for the deployment, or  
5                   use in connection with the deployment, of  
6                   broadband communications facilities or broad-  
7                   band communications services.

8                   (6) EXECUTIVE AGENCY.—The term “Executive  
9                   agency” has the meaning given such term in section  
10                  105 of title 5, United States Code.

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