

117TH CONGRESS
1ST SESSION

H. R. 1038

To require the Secretary of the Interior and the Secretary of Agriculture to provide a plan to ensure adequate staffing throughout organizational units of the Department of the Interior and Department of Agriculture to review communications use authorizations in a timely manner.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2021

Mr. ARMSTRONG introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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

A BILL

To require the Secretary of the Interior and the Secretary of Agriculture to provide a plan to ensure adequate staffing throughout organizational units of the Department of the Interior and Department of Agriculture to review communications use authorizations in a timely manner.

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 “Enhancing Adminis-
5 trative Reviews for Broadband Deployment Act”.

1 **SEC. 2. ENABLING ADMINISTRATIVE REVIEW.**

2 (a) DEFINITIONS.—In this Act:

3 (1) APPROPRIATE COMMITTEES OF CON-
4 GRESS.—The term “appropriate committees of Con-
5 gress” means—

6 (A) the Committee on Energy and Com-
7 merce of the House of Representatives;

8 (B) the Committee on Natural Resources
9 of the House of Representatives;

10 (C) the Committee on Commerce, Science,
11 and Transportation of the Senate; and

12 (D) the Committee on Environment and
13 Public Works of the Senate.

14 (2) COMMUNICATIONS FACILITY.—The term
15 “communications facility” includes—

16 (A) any infrastructure, including any
17 transmitting device, tower, or support structure,
18 and any equipment, switch, wiring, cabling,
19 power source, shelter, or cabinet, associated
20 with the licensed or permitted unlicensed wire-
21 less or wireline transmission of any writing,
22 sign, signal, data, image, picture, and sound of
23 any kind; and

24 (B) any antenna or apparatus that—

25 (i) is designed for the purpose of
26 emitting radio frequency;

1 (ii) is designed to be operated, or is
2 operating, from a fixed location pursuant
3 to authorization by the Commission or is
4 using a duly authorized device that does
5 not require an individual license; and

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

8 (3) COMMUNICATIONS SITE.—The term “com-
9 munications site” means an area of covered land
10 designated for communications uses.

11 (4) COMMUNICATIONS USE.—The term “com-
12 munications use” means the placement and oper-
13 ation of communications facility.

14 (5) COMMUNICATIONS USE AUTHORIZATION.—
15 The term “communications use authorization”
16 means an easement, right-of-way, lease, license, or
17 other authorization to locate or modify a commu-
18 nications facility on covered land by the Department
19 concerned for the primary purpose of authorizing
20 the occupancy and use of the covered land for com-
21 munications use.

22 (6) COVERED LAND.—The term “covered land”
23 means—

24 (A) public land administered by the Sec-
25 retary of the Interior; and

1 (B) National Forest System land.

2 (7) DEPARTMENT CONCERNED.—The term
3 “Department concerned” means the Department of
4 the Interior or the Department of Agriculture.

5 (8) ORGANIZATIONAL UNIT.—The term “orga-
6 nizational unit” means—

7 (A) with respect to public land adminis-
8 tered by the Secretary of the Interior—

9 (i) a State office;

10 (ii) a district office; or

11 (iii) a field office; and

12 (B) within the Forest Service—

13 (i) a regional office;

14 (ii) the headquarters;

15 (iii) a management unit; or

16 (iv) a ranger district office.

17 (9) SECRETARY CONCERNED.—The term “Sec-
18 retary concerned” means—

19 (A) the Secretary of the Interior, with re-
20 spect to public land; and

21 (B) the Secretary of Agriculture, with re-
22 spect to National Forest System land.

23 (b) STUDY REQUIRED.—Not later than 1 year after
24 the date of enactment of this Act, the Secretary concerned

1 shall submit to the appropriate committees of Congress
2 a report that—

3 (1) provides an assessment on programmatic or
4 administrative barriers to reviewing communications
5 use authorizations by the Department concerned or
6 organizational units of the Department concerned;

7 (2) provides an assessment whether there are
8 rules or regulations of the Department concerned
9 that could be revised to improve the efficiency of re-
10 viewing a communications use authorization;

11 (3) describes the process for prioritizing the re-
12 view of a communications use authorization; and

13 (4) provides a plan to ensure adequate staffing
14 throughout organizational units of the Department
15 concerned to review communications use authoriza-
16 tions in a timely manner.

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