$[{\sim}116\mathrm{H}2611]$

(Original Signature of Member)

117TH CONGRESS 2D Session



To support the establishment and improvement of communications sites on or adjacent to Federal lands through the retention and use of rental fees associated with such sites, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. HUFFMAN introduced the following bill; which was referred to the Committee on _____

A BILL

- To support the establishment and improvement of communications sites on or adjacent to Federal lands through the retention and use of rental fees associated with such sites, and for other purposes.
 - 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 "Public Lands Tele-5 communications Act".

6 SEC. 2. DEFINITIONS.

7 In this Act:

1	(1) Communications site.—The term "com-
2	munications site" means an area of Federal lands
3	designated or approved for communications use.
4	(2) Communications use.—The term "com-
5	munications use"—
6	(A) means the placement, operation, or
7	both, of infrastructure for wireline or wireless
8	telecommunications, including cable television,
9	television, and radio communications, regardless
10	of whether such placement or operation is pur-
11	suant to a license issued by the Federal Com-
12	munications Commission or on an unlicensed
13	basis in accordance with the regulations of the
14	Commission; and
15	(B) includes ancillary activities, uses, or
16	facilities directly related to such placement or
17	operation.
18	(3) Communications use authorization.—
19	The term "communications use authorization"
20	means a right-of-way, permit, or lease granted,
21	issued, or executed by a Federal land management
22	agency for the primary purpose of authorizing the
23	occupancy and use of Federal lands for communica-
24	tions use.

1	(4) FEDERAL LANDS.—The term "Federal
2	lands" means lands under the jurisdiction and man-
3	agement of a Federal land management agency.
4	(5) FEDERAL LAND MANAGEMENT AGENCY
5	The term "Federal land management agency"
6	means the National Park Service, the United States
7	Fish and Wildlife Service, the Bureau of Land Man-
8	agement, and the Bureau of Reclamation.
9	(6) RENTAL FEE.—The term "rental fee"
10	means a fee collected by a Federal land management
11	agency for the occupancy and use authorized by a
12	communications use authorization pursuant to and
13	consistent with authorizing law.
14	SEC. 3. COLLECTION AND RETENTION OF RENTAL FEES AS-
15	SOCIATED WITH COMMUNICATIONS USE AU-
16	THORIZATIONS ON FEDERAL LANDS AND
17	FEDERAL LAND MANAGEMENT AGENCY SUP-
18	PORT FOR COMMUNICATIONS SITE PRO-
19	GRAMS.
20	(a) Special Account Required.—The Secretary of
21	the Treasury shall establish a special account in the
22	Treasury for each Federal land management agency for
23	the deposit of rental fees received by the Federal land
24	management agency pursuant to this Act.

(b) FAIR MARKET VALUE.—Notwithstanding any
 other provision of law, any rental fee collected pursuant
 to this Act shall be of a fair market value with respect
 to other uses of the communications site.

5 (c) RENTAL FEES.—

6 (1) LIMITATION ON AMOUNT OF RENTAL
7 FEES.—Rental fees shall not exceed the fee sched8 ules published by the Secretary of the Interior for
9 communications use rights-of-way or the fair market
10 value under subsection (b), whichever is greater.

11 (2) REVISION OF RENTAL FEE SCHEDULES FOR 12 COMMUNICATIONS SITES RIGHTS-OF-WAY.—Not later 13 than 2 years after the date of the enactment of this 14 Act, through a public process that includes consider-15 ation of industry comments, the Secretary of the In-16 terior shall revise the communications sites rights-of-17 way rental fee schedule to reflect fair market value 18 and current communications technologies, including 19 the physical footprint of such technologies.

20 (d) DEPOSIT AND RETENTION OF RENTAL FEES.—
21 Rental fees received by a Federal land management agen22 cy shall—

(1) be deposited in the special account established for that Federal land management agency
under subsection (a); and

(2) remain available for expenditure under sub section (e), to the extent and in such amounts as are
 provided in advance in appropriation Acts.

4 (e) EXPENDITURE OF RETAINED FEES.—Amounts
5 deposited in the special account for a Federal land man6 agement agency pursuant to this Act shall be used solely
7 by that Federal land management agency for activities re8 lated to communications sites on lands managed by that
9 Federal land management agency, including the following:

10 (1) Administering communications use author11 izations, including cooperative agreements under sec12 tion 4.

(2) Preparing needs assessments or other programmatic analyses necessary to establish communications sites and authorize communications uses
on or adjacent to Federal lands managed by that
Federal land management agency.

18 (3) Developing management plans for commu19 nications sites on or adjacent to Federal lands man20 aged by that Federal land management agency on a
21 competitively neutral, technology neutral, non22 discriminatory basis.

(4) Training for management of communications sites on or adjacent to Federal lands managed
by that Federal land management agency.

(5) Obtaining, improving access to, or estab lishing communications sites on or adjacent to Fed eral lands managed by that Federal land manage ment agency.

5 (f) NO EFFECT ON OTHER FEE RETENTION AU6 THORITIES.—This Act shall not limit or otherwise affect
7 fee retention by a Federal land management agency under
8 any other authority.

9 SEC. 4. COOPERATIVE AGREEMENT AUTHORITY.

10 The Secretary of the Interior may enter into coopera-11 tive agreements to carry out the activities described in sec-12 tion 3(e).

13 SEC. 5. CLARIFICATION OF COOPERATIVE AGREEMENT AU-

14THORITY OF THE SECRETARY OF AGRI-15CULTURE.

16 Section 8705(f) of the Agriculture Improvement Act 17 of 2018 (43 U.S.C. 1761a(f)) is amended by adding at 18 the end the following:

19 "(6) COOPERATIVE AGREEMENT AUTHORITY.—
20 The Secretary may enter into cooperative agree21 ments to carry out the activities described in sub22 paragraphs (A) through (D) of paragraph (4).".