

115TH CONGRESS
1ST SESSION

H. R. 2425

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

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2017

Mr. HUFFMAN 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 support the establishment and improvement of communications sites on or adjacent to Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture 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”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **COMMUNICATIONS SITE.**—The term “com-
4 munications site” means an area of Federal lands
5 designated for telecommunications uses.

6 (2) **COMMUNICATIONS USE.**—The term “com-
7 munications use” means the placement and oper-
8 ation of infrastructure for wireline or wireless tele-
9 communications, regardless of whether the use of
10 radio frequencies by such telecommunications is pur-
11 suant to a license issued by the Federal Communica-
12 tions Commission or on an unlicensed basis in ac-
13 cordance with the regulations of the Commission.
14 The term includes ancillary activities directly related
15 to such placement and operation.

16 (3) **COMMUNICATIONS USE AUTHORIZATION.**—
17 The term “communications use authorization”
18 means a right-of-way, permit, or lease granted,
19 issued, or executed by a Federal land management
20 agency for the primary purpose of authorizing the
21 occupancy and use of Federal lands for communica-
22 tions use.

23 (4) **FEDERAL LAND MANAGEMENT AGENCY.**—
24 The term “Federal land management agency”
25 means the National Park Service, the United States
26 Fish and Wildlife Service, the Bureau of Land Man-

1 agement, the Bureau of Reclamation, and the Forest
2 Service.

3 (5) FEDERAL LANDS.—The term “Federal
4 lands” means lands under the jurisdiction and man-
5 agement of a Federal land management agency.

6 (6) RENTAL FEE.—The term “rental fee”
7 means the fee collected by a Federal land manage-
8 ment agency for the occupancy and use authorized
9 by a communications use authorization pursuant to
10 and consistent with authorizing law.

11 **SEC. 3. RETENTION OF RENTAL FEES ASSOCIATED WITH**
12 **COMMUNICATIONS USE AUTHORIZATIONS ON**
13 **FEDERAL LANDS AND FEDERAL LAND MAN-**
14 **AGEMENT AGENCY SUPPORT FOR COMMU-**
15 **NICATION SITE PROGRAMS.**

16 (a) SPECIAL ACCOUNT REQUIRED.—The Secretary of
17 the Treasury shall establish a special account in the
18 Treasury for each Federal land management agency for
19 the deposit of rental fees received by a Federal land man-
20 agement agency for communications use authorizations on
21 Federal lands granted, issued, or executed by the Federal
22 land management agency.

23 (b) DEPOSIT AND RETENTION OF RENTAL FEES.—
24 Rental fees received by a Federal land management agen-
25 cy shall—

1 (1) be deposited in the special account estab-
2 lished for that Federal land management agency;
3 and

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

7 (c) EXPENDITURE OF RETAINED FEES.—Amounts
8 deposited in the special account for a Federal land man-
9 agement agency shall be used for Federal land manage-
10 ment agency activities related to communications sites, in-
11 cluding the following:

12 (1) Administering communications use author-
13 izations, including cooperative agreements under sec-
14 tion 4.

15 (2) Preparing needs assessments or other pro-
16 grammatic analyses necessary to designate commu-
17 nications sites and authorize communications uses
18 on or adjacent to Federal lands.

19 (3) Developing management plans for commu-
20 nications sites on or adjacent to Federal lands.

21 (4) Training for management of communica-
22 tions sites on or adjacent to Federal lands.

23 (5) Obtaining or improving access to commu-
24 nications sites on or adjacent to Federal lands.

1 (d) NO EFFECT ON OTHER FEE RETENTION AU-
2 THORITIES.—This Act shall not limit or otherwise affect
3 fee retention by a Federal land management agency under
4 any other authority.

5 **SEC. 4. COOPERATIVE AGREEMENT AUTHORITY.**

6 (a) DEPARTMENT OF THE INTERIOR.—The Secretary
7 of the Interior may enter into cooperative agreements to
8 carry out the activities described in section 3(c).

9 (b) FOREST SERVICE.—The Secretary of Agriculture,
10 acting through the Chief of the Forest Service, may enter
11 into cooperative agreements to carry out the activities de-
12 scribed in section 3(c).

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