

116TH CONGRESS  
2D SESSION

# H. R. 7337

To provide that an eligible facilities request under section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 is categorically excluded from the requirement to prepare certain environmental or historical preservation reviews.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2020

Mr. CARTER of Georgia introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, 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 that an eligible facilities request under section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 is categorically excluded from the requirement to prepare certain environmental or historical preservation reviews.

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 “Proportional Reviews  
5 for Broadband Deployment Act”.

1 **SEC. 2. APPLICATION OF NEPA AND NHPA TO WIRELESS**  
2 **FACILITIES DEPLOYMENT.**

3 Section 6409(a)(3) of the Middle Class Tax Relief  
4 and Job Creation Act of 2012 (47 U.S.C. 1455(a)) is  
5 amended to read as follows:

6 “(3) APPLICATION OF NEPA; NHPA.—

7 “(A) NEPA CATEGORICAL EXCLUSION.—

8 “(i) IN GENERAL.—An eligible facili-  
9 ties request shall be categorically excluded  
10 from the requirement to prepare an envi-  
11 ronmental assessment or an environmental  
12 impact statement under section 102 of the  
13 National Environmental Policy Act of  
14 1969 (42 U.S.C. 4332).

15 “(ii) RELATION TO EXTRAORDINARY  
16 CIRCUMSTANCES PROCEDURES.—The use  
17 of the categorical exclusion under clause (i)  
18 shall not be considered to include extraor-  
19 dinary circumstances under section 220.6  
20 of title 36, Code of Federal Regulations, or  
21 section 1508.4 of title 40, Code of Federal  
22 Regulations (or any successor to those reg-  
23 ulations).

24 “(B) NATIONAL HISTORIC PRESERVATION  
25 ACT EXEMPTION.—An eligible facilities request  
26 shall not be considered an undertaking under

1 section 300320 of title 54, United States  
2 Code.”.

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