

114TH CONGRESS
2D SESSION

H. R. 6099

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

SEPTEMBER 21, 2016

Mr. HUFFMAN (for himself and Ms. ESHOO) 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 wireless telecommuni-
9 cations, regardless of whether the use of radio fre-
10 quencies by such telecommunications is pursuant to
11 a license issued by the Federal Communications
12 Commission or on an unlicensed basis in accordance
13 with the regulations of the Commission. The term
14 includes ancillary activities directly related to such
15 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 based on the market value of the oc-
8 cupancy and use authorized by a communications
9 use authorization, as determined by appraisal or
10 other sound business management principles as re-
11 quired by the provision of law pursuant to which a
12 Federal land management agency granted, issued, or
13 executed the communications use authorization.

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

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

1 (b) DEPOSIT AND RETENTION OF RENTAL FEES.—

2 Rental fees received by a Federal land management agen-
3 cy shall—

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

7 (2) remain available for expenditure under sub-
8 section (c), without further appropriation and until
9 expended.

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

15 (1) Administering communications use author-
16 izations, including cooperative agreements under sec-
17 tion 4.

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

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

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

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

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

7 **SEC. 4. COOPERATIVE AGREEMENT AUTHORITY.**

8 (a) DEPARTMENT OF THE INTERIOR.—The Secretary
9 of the Interior may enter into cooperative agreements for
10 administration of communications sites.

11 (b) FOREST SERVICE.—The Secretary of Agriculture,
12 acting through the Chief of the Forest Service, may enter
13 into cooperative agreements for administration of commu-
14 nications sites.

○