

116TH CONGRESS
2D SESSION

H. R. 7357

To provide that a request for the collocation of a personal wireless service facility is categorically excluded from the requirement to prepare certain environmental or historical preservation reviews.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2020

Mr. JOHNSON of Ohio 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

A BILL

To provide that a request for the collocation of a personal wireless service facility 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 “Wireless Broadband
5 Competition and Efficient Deployment Act”.

1 **SEC. 2. CATEGORICAL EXCLUSION FROM NEPA AND NHPA**
2 **FOR WIRELESS COLLOCATIONS.**

3 (a) DEFINITIONS.—In this section:

4 (1) COVERED PROJECT.—The term “covered
5 project” means the placement, modification, or con-
6 struction of an eligible personal wireless facility that
7 exists at the time at which a complete request for
8 such authorization is filed with a State or local gov-
9 ernment or instrumentality thereof.

10 (2) ELIGIBLE PERSONAL WIRELESS SERVICE
11 FACILITY.—The term “eligible personal wireless
12 service facility” means any antenna, apparatus,
13 transmitting device, and any equipment, switches,
14 wiring, cabling, power sources, shelters, or cabinets,
15 for the provision of personal wireless service.

16 (3) PERSONAL WIRELESS SERVICE.—The term
17 “personal wireless service” means—

18 (A) commercial mobile service (as defined
19 in section 332(d) of the Communications Act of
20 1934 (47 U.S.C. 332(d)));

21 (B) commercial mobile data service (as de-
22 fined in section 6001 of the Middle Class Tax
23 Relief and Job Creation Act of 2012 (47 U.S.C.
24 1401));

25 (C) unlicensed wireless service; and

1 (D) common carrier wireless exchange ac-
2 cess service.

3 (4) STATE.—The term “State” means the 50
4 States, the District of Columbia, the territories and
5 possessions of the United States, and each federally
6 recognized Indian Tribe.

7 (b) NEPA CATEGORICAL EXCLUSION.—

8 (1) IN GENERAL.—A covered project subject to
9 the approval of the Commission shall be categorically
10 excluded from the requirement to prepare an envi-
11 ronmental assessment or an environmental impact
12 statement under section 102 of the National Envi-
13 ronmental Policy Act of 1969 (42 U.S.C. 4332).

14 (2) RELATION TO EXTRAORDINARY CIR-
15 CUMSTANCES PROCEDURES.—The use of the cat-
16 egorical exclusion under paragraph (1) shall not be
17 considered to include extraordinary circumstances
18 under section 220.6 of title 36, Code of Federal
19 Regulations, or section 1508.4 of title 40, Code of
20 Federal Regulations (or any successor to those regu-
21 lations).

22 (c) NATIONAL HISTORIC PRESERVATION ACT EX-
23 EMPTION.—A covered project for which the Commission
24 is required to issue a permit or that is otherwise subject
25 to the jurisdiction of the Commission shall not be consid-

- 1 ered an undertaking under section 300320 of title 54,
- 2 United States Code.

