

Union Calendar No. 746

118TH CONGRESS
2^D SESSION

H. R. 3283

[Report No. 118–545, Parts I and II]

To require the Assistant Secretary of Commerce for Communications and Information to report to Congress on any barriers to establishing online portals to accept, process, and dispose of certain Form 299s, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2023

Mrs. MILLER-MEEKS (for herself and Mrs. DINGELL) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Energy and Commerce, 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

JUNE 7, 2024

Reported from the Committee on Energy and Commerce

DECEMBER 18, 2024

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

DECEMBER 18, 2024

Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on May 15, 2023]

A BILL

To require the Assistant Secretary of Commerce for Communications and Information to report to Congress on any barriers to establishing online portals to accept, process, and dispose of certain Form 299s, 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 “Facilitating the De-
5 ployment of Infrastructure with Greater Internet Trans-
6 actions And Legacy Applications Act” or the “Facilitating
7 DIGITAL Applications Act”.

8 **SEC. 2. REPORT ON BARRIERS TO ESTABLISHING ONLINE**
9 **PORTALS TO ACCEPT, PROCESS, AND DIS-**
10 **POSE OF CERTAIN FORM 299s.**

11 (a) REPORT.—

12 (1) IN GENERAL.—Not later than 90 days after
13 the date of the enactment of this section, and every
14 60 days thereafter until the Secretaries concerned
15 each notify the Assistant Secretary under paragraph
16 (2), the Assistant Secretary shall submit to the ap-
17 propriate congressional committees a report that de-
18 scribes—

19 (A) whether the Secretaries concerned have
20 established, with respect to the relevant covered
21 department, an online portal for the acceptance,
22 processing, and disposal of a Form 299 for
23 communications use authorization; and

24 (B) any barrier to the establishment of any
25 such portal.

1 (2) NOTIFICATION.—Not later than 3 business
2 days after the date on which the online portal has
3 been established by a Secretary pursuant to para-
4 graph (1), that Secretary shall notify the Assistant
5 Secretary of the establishment of such portal.

6 (b) DEFINITIONS.—In this Act:

7 (1) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—The term “appropriate congressional com-
9 mittees” means—

10 (A) the Committee on Energy and Com-
11 merce of the House of Representatives;

12 (B) the Committee on Natural Resources
13 of the House of Representatives;

14 (C) the Committee on Commerce, Science,
15 and Transportation of the Senate; and

16 (D) the Committee on Environment and
17 Public Works of the Senate.

18 (2) ASSISTANT SECRETARY.—The term “Assist-
19 ant Secretary” means the Assistant Secretary of
20 Commerce for Communications and Information.

21 (3) COMMUNICATIONS FACILITY.—The term
22 “communications facility” has the meaning given the
23 term “communications facility installation” in sec-
24 tion 6409(d) of the Middle Class Tax Relief and Job
25 Creation Act of 2012 (47 U.S.C. 1455(d)).

1 (4) COMMUNICATIONS USE.—The term “com-
2 munications use” means the placement and oper-
3 ation of a communications facility.

4 (5) COMMUNICATIONS USE AUTHORIZATION.—
5 The term “communications use authorization”
6 means an easement, right-of-way, lease, license, or
7 other authorization—

8 (A) provided by the Secretary of the Inte-
9 rior or the Secretary of Agriculture;

10 (B) to locate or modify a communications
11 facility on covered land; and

12 (C) for the primary purpose of authorizing
13 the occupancy and use of such covered land for
14 communications use.

15 (6) COVERED LAND.—The term “covered land”
16 means—

17 (A) public lands; and

18 (B) National Forest System land.

19 (7) FORM 299.—The term “Form 299” means
20 the form established under section 6409(b)(2)(A) of
21 the Middle Class Tax Relief and Job Creation Act
22 of 2012 (47 U.S.C. 1455(b)(2)(A)), or any successor
23 form.

24 (8) NATIONAL FOREST SYSTEM.—The term
25 “National Forest System” has the meaning given

1 that term in section 11(a) of the Forest and Range-
 2 land Renewable Resources Planning Act of 1974 (16
 3 U.S.C. 1609(a)).

4 (9) RELEVANT COVERED DEPARTMENT.—The
 5 term “relevant covered department” means—

6 (A) with respect to the Secretary of the In-
 7 terior, the Department of the Interior; and

8 (B) with respect to the Secretary of Agri-
 9 culture, the Department of Agriculture.

10 (10) SECRETARY CONCERNED.—The term
 11 “Secretary concerned” means—

12 (A) the Secretary of the Interior; and

13 (B) the Secretary of Agriculture, acting
 14 through the Chief of the Forest Service.

15 **SECTION 1. SHORT TITLE.**

16 *This Act may be cited as the “Facilitating the Deploy-*
 17 *ment of Infrastructure with Greater Internet Transactions*
 18 *And Legacy Applications Act” or the “Facilitating DIG-*
 19 *ITAL Applications Act”.*

20 **SEC. 2. REPORT ON BARRIERS TO ESTABLISHING ONLINE**
 21 **PORTALS TO ACCEPT, PROCESS, AND DIS-**
 22 **POSE OF CERTAIN FORM 299s.**

23 (a) REPORT.—

24 (1) IN GENERAL.—*Not later than 90 days after*
 25 *the date of the enactment of this section, and every 60*

1 *days thereafter until the Secretaries concerned each*
2 *notify the Assistant Secretary under paragraph (2),*
3 *the Assistant Secretary shall submit to the appro-*
4 *prate congressional committees a report that de-*
5 *scribes—*

6 *(A) whether the Secretaries concerned have*
7 *established, with respect to the relevant covered*
8 *department, an online portal for the acceptance,*
9 *processing, and disposal of a Form 299 for com-*
10 *munications use authorization;*

11 *(B) any barrier to the establishment of any*
12 *such portal; and*

13 *(C) whether the online portal described in*
14 *subparagraph (A) is consistent with—*

15 *(i) the priorities identified in section*
16 *110 of the National Environmental Policy*
17 *Act of 1969 (42 U.S.C. 4336d); and*

18 *(ii) the results of the study required*
19 *under that section with respect to any per-*
20 *mit that requires review under that Act.*

21 *(2) NOTIFICATION.—Not later than 3 business*
22 *days after the date on which the online portal has*
23 *been established by a Secretary pursuant to para-*
24 *graph (1), that Secretary shall notify the Assistant*
25 *Secretary of the establishment of such portal.*

1 **(b) DEFINITIONS.**—*In this Act:*

2 **(1) APPROPRIATE CONGRESSIONAL COMMIT-**
3 **TEES.**—*The term “appropriate congressional commit-*
4 *tees” means—*

5 **(A) the Committee on Energy and Com-**
6 **merce of the House of Representatives;**

7 **(B) the Committee on Natural Resources of**
8 **the House of Representatives;**

9 **(C) the Committee on Commerce, Science,**
10 **and Transportation of the Senate; and**

11 **(D) the Committee on Environment and**
12 **Public Works of the Senate.**

13 **(2) ASSISTANT SECRETARY.**—*The term “Assist-*
14 *ant Secretary” means the Assistant Secretary of Com-*
15 *merce for Communications and Information.*

16 **(3) COMMUNICATIONS FACILITY.**—*The term*
17 *“communications facility” has the meaning given the*
18 *term “communications facility installation” in sec-*
19 *tion 6409(d) of the Middle Class Tax Relief and Job*
20 *Creation Act of 2012 (47 U.S.C. 1455(d)).*

21 **(4) COMMUNICATIONS USE.**—*The term “commu-*
22 *nications use” means the placement and operation of*
23 *a communications facility.*

24 **(5) COMMUNICATIONS USE AUTHORIZATION.**—
25 *The term “communications use authorization” means*

1 *an easement, right-of-way, lease, license, or other au-*
2 *thorization—*

3 *(A) provided by the Secretary of the Inte-*
4 *rior or the Secretary of Agriculture;*

5 *(B) to locate or modify a communications*
6 *facility on covered land; and*

7 *(C) for the primary purpose of authorizing*
8 *the occupancy and use of such covered land for*
9 *communications use.*

10 *(6) COVERED LAND.—The term “covered land”*
11 *means—*

12 *(A) public lands; and*

13 *(B) National Forest System land.*

14 *(7) FORM 299.—The term “Form 299” means*
15 *the form established under section 6409(b)(2)(A) of*
16 *the Middle Class Tax Relief and Job Creation Act of*
17 *2012 (47 U.S.C. 1455(b)(2)(A)), or any successor*
18 *form.*

19 *(8) NATIONAL FOREST SYSTEM.—The term “Na-*
20 *tional Forest System” has the meaning given that*
21 *term in section 11(a) of the Forest and Rangeland*
22 *Renewable Resources Planning Act of 1974 (16*
23 *U.S.C. 1609(a)).*

24 *(9) RELEVANT COVERED DEPARTMENT.—The*
25 *term “relevant covered department” means—*

1 (A) *with respect to the Secretary of the Inte-*
2 *rior, the Department of the Interior; and*

3 (B) *with respect to the Secretary of Agri-*
4 *culture, the Department of Agriculture.*

5 (10) *SECRETARY CONCERNED.*—*The term “Sec-*
6 *retary concerned” means—*

7 (A) *the Secretary of the Interior; and*

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9 *through the Chief of the Forest Service.*

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