

118TH CONGRESS  
1ST SESSION

# H. R. 3288

To provide that a project for the collocation of a telecommunications service facility is not subject to requirements to prepare certain environmental or historical preservation reviews.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2023

Mr. JOYCE of Pennsylvania 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 a project for the collocation of a telecommunications service facility is not subject to requirements 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 “Broadband Competi-  
5 tion and Efficient Deployment Act”.

1 **SEC. 2. APPLICATION OF NEPA AND NHPA TO COLLOCA-**  
2 **TION OF TELECOMMUNICATIONS SERVICE**  
3 **FACILITIES.**

4 (a) NEPA EXEMPTION.—A Federal authorization  
5 with respect to a covered project may not be considered  
6 a major Federal action under section 102(2)(C) of the Na-  
7 tional Environmental Policy Act of 1969 (42 U.S.C.  
8 4332(2)(C)).

9 (b) NATIONAL HISTORIC PRESERVATION ACT EX-  
10 EMPTION.—A covered project may not be considered an  
11 undertaking under section 300320 of title 54, United  
12 States Code.

13 (c) DEFINITIONS.—In this section:

14 (1) COMMISSION.—The term “Commission”  
15 means the Federal Communications Commission.

16 (2) COVERED PROJECT.—The term “covered  
17 project” means a project—

18 (A) for the placement, construction, or  
19 modification of a telecommunications service fa-  
20 cility in or on eligible support infrastructure;  
21 and

22 (B) for which a permit, license, or approval  
23 from the Commission is required or that is oth-  
24 erwise subject to the jurisdiction of the Com-  
25 mission.

1           (3) ELIGIBLE SUPPORT INFRASTRUCTURE.—  
2           The term “eligible support infrastructure” means in-  
3           frastructure that supports or houses a facility for  
4           communication by wire (or is designed to or capable  
5           of supporting or housing such a facility) at the time  
6           when a complete request to a State or local govern-  
7           ment or instrumentality thereof, or to an Indian  
8           Tribe, for authorization to place, construct, or mod-  
9           ify a telecommunications service facility in or on the  
10          infrastructure is received by the government, instru-  
11          mentality, or Indian Tribe.

12          (4) FEDERAL AUTHORIZATION.—The term  
13          “Federal authorization”—

14                (A) means any authorization required  
15                under Federal law with respect to a covered  
16                project; and

17                (B) includes any permits, special use au-  
18                thorizations, certifications, opinions, or other  
19                approvals as may be required under Federal law  
20                with respect to a covered project.

21          (5) INDIAN TRIBE.—The term “Indian Tribe”  
22          has the meaning given the term “Indian tribe”  
23          under section 102 of the Federally Recognized In-  
24          dian Tribe List Act of 1994 (25 U.S.C. 5130).

1           (6) STATE.—The term “State” means each  
2 State of the United States, the District of Columbia,  
3 and each territory or possession of the United  
4 States.

5           (7) TELECOMMUNICATIONS SERVICE.—The  
6 term “telecommunications service” has the meaning  
7 given such term in section 3 of the Communications  
8 Act of 1934 (47 U.S.C. 153).

9           (8) TELECOMMUNICATIONS SERVICE FACIL-  
10 ITY.—The term “telecommunications service facil-  
11 ity”—

12                   (A) means a facility that is designed or  
13 used to provide or facilitate the provision of any  
14 interstate or intrastate telecommunications  
15 service; and

16                   (B) includes a facility described in sub-  
17 paragraph (A) that is used to provide other  
18 services.

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