

117TH CONGRESS  
1ST SESSION

# H. R. 1156

To require the Assistant Secretary of Commerce for Communications and Information to report to Congress every 60 days on barriers to implementation by the Department of Interior and Department of Agriculture of an online portal to accept, process, and dispose of an application for the placement of communications facilities on certain Federal lands.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 2021

Mr. MCKINLEY 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

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## A BILL

To require the Assistant Secretary of Commerce for Communications and Information to report to Congress every 60 days on barriers to implementation by the Department of Interior and Department of Agriculture of an online portal to accept, process, and dispose of an application for the placement of communications facilities on certain Federal lands.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Facilitating the De-  
3 ployment of Infrastructure with Greater Internet Trans-  
4 actions And Legacy Applications Act” or the “Facilitating  
5 DIGITAL Applications Act”.

6 **SEC. 2. BARRIERS TO IMPLEMENTATION OF AN ONLINE**  
7 **PORTAL FOR FORM 299.**

8 (a) DEFINITIONS.—In this Act:

9 (1) APPROPRIATE COMMITTEES OF CON-  
10 GRESS.—The term “appropriate committees of Con-  
11 gress” means—

12 (A) the Committee on Energy and Com-  
13 merce of the House of Representatives;

14 (B) the Committee on Natural Resources  
15 of the House of Representatives;

16 (C) the Committee on Commerce, Science,  
17 and Transportation of the Senate; and

18 (D) the Committee on Environment and  
19 Public Works of the Senate.

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

23 (3) COMMUNICATIONS FACILITY.—The term  
24 “communications facility” includes—

25 (A) any infrastructure, including any  
26 transmitting device, tower, or support structure,

1 and any equipment, switch, wiring, cabling,  
2 power source, shelter, or cabinet, associated  
3 with the licensed or permitted unlicensed wire-  
4 less or wireline transmission of any writing,  
5 sign, signal, data, image, picture, and sound of  
6 any kind; and

7 (B) any antenna or apparatus that—

8 (i) is designed for the purpose of  
9 emitting radio frequency;

10 (ii) is designed to be operated, or is  
11 operating, from a fixed location pursuant  
12 to authorization by the Commission or is  
13 using a duly authorized device that does  
14 not require an individual license; and

15 (iii) is added to a tower, building, or  
16 other structure.

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

20 (5) COMMUNICATIONS USE AUTHORIZATION.—  
21 The term “communications use authorization”  
22 means an easement, right-of-way, lease, license, or  
23 other authorization to locate or modify a commu-  
24 nications facility on covered land by the Department  
25 concerned for the primary purpose of authorizing

1 the occupancy and use of the covered land for com-  
2 munications use.

3 (6) COVERED LAND.—The term “covered land”  
4 means—

5 (A) public land administered by the Sec-  
6 retary of the Interior; and

7 (B) National Forest System land.

8 (7) DEPARTMENT CONCERNED.—The term  
9 “Department concerned” means the Department of  
10 the Interior or the Department of Agriculture.

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

16 (9) SECRETARY CONCERNED.—The term “Sec-  
17 retary concerned” means—

18 (A) the Secretary of the Interior, with re-  
19 spect to land administered by such Secretary;  
20 and

21 (B) the Secretary of Agriculture, with re-  
22 spect to National Forest System land.

23 (b) BARRIERS TO IMPLEMENTATION.—

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

1 days thereafter until the notification described in  
2 paragraph (2), the Assistant Secretary shall submit  
3 to the appropriate committees in Congress a report  
4 that—

5 (A) describes whether the Department con-  
6 cerned has established an online portal for the  
7 acceptance, processing, and disposal of a Form  
8 299; and

9 (B) describes any barrier to the establish-  
10 ment of an online portal for the acceptance,  
11 processing, and disposal of a Form 299.

12 (2) NOTIFICATION DESCRIBED.—The Secretary  
13 concerned shall notify the Assistant Secretary not  
14 later than 3 business days after the Department  
15 concerned has established an online portal for the  
16 acceptance, processing, and disposal of a Form 299.

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