

118TH CONGRESS  
1ST SESSION

# H. R. 3291

To provide that an eligible facilities request under section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 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. CARTER of Georgia (for himself and Mr. MORAN) 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 an eligible facilities request under section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 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 “Proportional Reviews  
5 for Broadband Deployment Act”.

1 **SEC. 2. APPLICATION OF NEPA AND NHPA TO WIRELESS**  
2 **FACILITIES DEPLOYMENT.**

3 Section 6409(a)(3) of the Middle Class Tax Relief  
4 and Job Creation Act of 2012 (47 U.S.C. 1455(a)(3)) is  
5 amended to read as follows:

6 “(3) APPLICATION OF NEPA; NHPA.—

7 “(A) NEPA EXEMPTION.—A Federal au-  
8 thorization with respect to an eligible facilities  
9 request may not be considered a major Federal  
10 action under section 102(2)(C) of the National  
11 Environmental Policy Act of 1969 (42 U.S.C.  
12 4332(2)(C)).

13 “(B) NATIONAL HISTORIC PRESERVATION  
14 ACT EXEMPTION.—An eligible facilities request  
15 may not be considered an undertaking under  
16 section 300320 of title 54, United States Code.

17 “(C) FEDERAL AUTHORIZATION DE-  
18 FINED.—In this paragraph, the term ‘Federal  
19 authorization’—

20 “(i) means any authorization required  
21 under Federal law with respect to an eligi-  
22 ble facilities request; and

23 “(ii) includes any permits, special use  
24 authorizations, certifications, opinions, or  
25 other approvals as may be required under

1 Federal law with respect to an eligible fa-  
2 cilities request.”.

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