

118TH CONGRESS
1ST SESSION

H. R. 3306

To facilitate Federal broadband permit coordination, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2023

Mr. CURTIS introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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 facilitate Federal broadband permit coordination, 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 “Federal Broadband
5 Permit Coordination Act of 2023”.

6 **SEC. 2. FEDERAL BROADBAND PERMIT COORDINATION.**

7 (a) MEMORANDUM OF UNDERSTANDING.—Not later
8 than 90 days after the date of the enactment of this Act,
9 the Secretary concerned, in consultation with the National

1 Conference of State Historic Preservation Officers and the
2 National Association of Tribal Historic Preservation Offi-
3 cers, shall enter into, in accordance with this section, a
4 memorandum of understanding with—

5 (1) the Secretary of Agriculture or the Sec-
6 retary of the Interior (as the case may be);

7 (2) the Director of the Bureau of Indian Af-
8 fairs; and

9 (3) the Director of the United States Fish and
10 Wildlife Service.

11 (b) PURPOSE.—The purpose of the memorandum of
12 understanding entered into under subsection (a) shall be
13 to coordinate and expedite permitting decisions for
14 broadband projects.

15 (c) STATE OR TRIBAL PARTICIPATION.—The Sec-
16 retary concerned may request that the Governor of a State
17 or the officer designated by the governing body of an In-
18 dian Tribe with one or more broadband projects be a party
19 to the memorandum of understanding entered into under
20 subsection (a).

21 (d) DESIGNATION OF QUALIFIED STAFF.—

22 (1) IN GENERAL.—Not later than 30 days after
23 the date of entrance into a memorandum of under-
24 standing under subsection (a), the head of each Fed-
25 eral agency that is a party to the memorandum of

1 understanding (other than the Secretary concerned)
2 may, if the head of the Federal agency determines
3 it to be appropriate, designate to each State or re-
4 gional office (that has been delegated responsibility
5 by the Secretary concerned for issuing permits for
6 broadband projects) an employee of that Federal
7 agency with expertise in regulatory issues relating to
8 that Federal agency, including, as applicable, par-
9 ticular expertise in—

10 (A) planning under the Forest and Range-
11 land Renewable Resources Planning Act of
12 1974 (16 U.S.C. 1600 et seq.) and planning
13 under the Federal Land Policy and Manage-
14 ment Act of 1976 (43 U.S.C. 1701 et seq.);

15 (B) the preparation of analyses under the
16 National Environmental Policy Act of 1969 (42
17 U.S.C. 4321 et seq.); or

18 (C) consultation and the preparation of bi-
19 ological opinions under section 7 of the Endan-
20 gered Species Act of 1973 (16 U.S.C. 1536).

21 (2) ESTABLISHMENT OF STREAMLINING
22 TEAM.—If employees are designated under para-
23 graph (1), the Secretary concerned shall establish a
24 broadband permit streamlining team, comprised of
25 such employees, in each State or regional office that

1 has been delegated responsibility by the Secretary
2 concerned for issuing permits for broadband
3 projects.

4 (3) DUTIES.—Each employee designated under
5 paragraph (1) shall—

6 (A) be responsible for any issue relating to
7 any broadband project, within the jurisdiction
8 of the State or regional office, under the au-
9 thority of the Federal agency from which the
10 employee is assigned; and

11 (B) participate as part of the team of per-
12 sonnel working on one or more proposed
13 broadband projects, including with respect to
14 planning and environmental analyses.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17 (1) BROADBAND PROJECT.—The term
18 “broadband project” means an installation, by a
19 broadband provider on Federal land, of wireline or
20 wireless broadband infrastructure that enables a
21 user to originate and receive high-quality voice, data,
22 graphics, and video telecommunications, including
23 copper lines, fiber optic lines, communications tow-
24 ers, buildings, or other improvements.

1 (2) BROADBAND PROVIDER.—The term
2 “broadband provider” means a provider of wireline
3 or wireless broadband infrastructure that enables a
4 user to originate and receive high-quality voice, data,
5 graphics, and video telecommunications.

6 (3) INDIAN TRIBE.—The term “Indian Tribe”
7 has the meaning given the term “Indian tribe” in
8 section 102 of the Federally Recognized Indian
9 Tribe List Act of 1994 (25 U.S.C. 5130).

10 (4) NATIONAL FOREST SYSTEM.—The term
11 “National Forest System” has the meaning given
12 that term in section 11(a) of the Forest and Range-
13 land Renewable Resources Planning Act of 1974 (16
14 U.S.C. 1609(a)).

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

17 (A) the Secretary of Agriculture (acting
18 through the Chief of the Forest Service), with
19 respect to National Forest System land; and

20 (B) the Secretary of the Interior, with re-
21 spect to land managed by the Department of
22 the Interior (including land held in trust for an
23 Indian Tribe).

24 (6) STATE.—The term “State” means each
25 State of the United States, the District of Columbia,

1 and each territory or possession of the United
2 States.

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