

**AMENDMENT IN THE NATURE OF SUBSTITUTE TO  
H.R. 2425  
OFFERED BY MR. HUFFMAN OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Public Lands Tele-  
3 communications Act”.

**4 SEC. 2. DEFINITIONS.**

5       In this Act:

6           (1) **COMMUNICATIONS SITE.**—The term “com-  
7 munications site” means an area of Federal lands  
8 available for telecommunications uses.

9           (2) **COMMUNICATIONS USE.**—The term “com-  
10 munications use” means the placement and oper-  
11 ation of infrastructure for wireline or wireless tele-  
12 communications, including cable television, tele-  
13 vision, and radio communications, regardless of  
14 whether such placement and operation is pursuant  
15 to a license issued by the Federal Communications  
16 Commission or on an unlicensed basis in accordance  
17 with the regulations of the Commission. The term

1 includes any ancillary activities, uses, or facilities di-  
2 rectly related to such placement and operation.

3 (3) COMMUNICATIONS USE AUTHORIZATION.—

4 The term “communications use authorization”  
5 means a right-of-way, permit, or lease granted,  
6 issued, or executed by a Federal land management  
7 agency for the primary purpose of authorizing the  
8 occupancy and use of Federal lands for communica-  
9 tions use.

10 (4) FEDERAL LAND MANAGEMENT AGENCY.—

11 The term “Federal land management agency”  
12 means the National Park Service, the United States  
13 Fish and Wildlife Service, the Bureau of Land Man-  
14 agement, the Bureau of Reclamation, and the Forest  
15 Service.

16 (5) FEDERAL LANDS.—The term “Federal

17 lands” means lands under the jurisdiction and man-  
18 agement of a Federal land management agency.

19 (6) RENTAL FEE.—The term “rental fee”

20 means any fee collected by a Federal land manage-  
21 ment agency related to the occupancy and use au-  
22 thorized by a communications use authorization pur-  
23 suant to and consistent with authorizing law.

1 **SEC. 3. COLLECTION AND RETENTION OF RENTAL FEES AS-**  
2 **SOCIATED WITH COMMUNICATIONS USE AU-**  
3 **THORIZATIONS ON FEDERAL LANDS AND**  
4 **FEDERAL LAND MANAGEMENT AGENCY SUP-**  
5 **PORT FOR COMMUNICATION SITE PRO-**  
6 **GRAMS.**

7 (a) SPECIAL ACCOUNT REQUIRED.—The Secretary of  
8 the Treasury shall establish a special account in the  
9 Treasury for each Federal land management agency for  
10 the deposit of rental fees received by a Federal land man-  
11 agement agency for communications use authorizations on  
12 Federal lands granted, issued, or executed by the Federal  
13 land management agency.

14 (b) COMPETITIVELY NEUTRAL.—Notwithstanding  
15 any other provision of law, any rental fees collected pursu-  
16 ant to this Act shall be competitively neutral, technology-  
17 neutral, and nondiscriminatory with respect to other uses  
18 of the communication site.

19 (c) DEPOSIT AND RETENTION OF RENTAL FEES.—  
20 Rental fees received by a Federal land management agen-  
21 cy shall—

22 (1) be deposited in the special account estab-  
23 lished for that Federal land management agency;  
24 and

1           (2) remain available for expenditure under sub-  
2           section (d), to the extent and in such amounts as  
3           are provided in advance in appropriation Acts.

4           (d) EXPENDITURE OF RETAINED FEES.—Amounts  
5           deposited in the special account for a Federal land man-  
6           agement agency shall be used for Federal land manage-  
7           ment agency activities related to communications sites, in-  
8           cluding the following:

9           (1) Administering communications use author-  
10          izations, including cooperative agreements under sec-  
11          tion 4.

12          (2) Preparing needs assessments or other pro-  
13          grammatic analyses necessary to establish commu-  
14          nications sites and authorize communications uses  
15          on or adjacent to Federal lands.

16          (3) Developing management plans for commu-  
17          nications sites on or adjacent to Federal lands on a  
18          competitively neutral, technology-neutral, non-  
19          discriminatory basis.

20          (4) Training for management of communica-  
21          tions sites on or adjacent to Federal lands.

22          (5) Obtaining, improving access to, or estab-  
23          lishing communications sites on or adjacent to Fed-  
24          eral lands.

1           (e) NO EFFECT ON OTHER FEE RETENTION AU-  
2 THORITIES.—This Act shall not limit or otherwise affect  
3 fee retention by a Federal land management agency under  
4 any other authority.

5 **SEC. 4. COOPERATIVE AGREEMENT AUTHORITY.**

6           (a) DEPARTMENT OF THE INTERIOR.—The Secretary  
7 of the Interior may enter into cooperative agreements to  
8 carry out the activities described in section 3(d).

9           (b) FOREST SERVICE.—The Secretary of Agriculture,  
10 acting through the Chief of the Forest Service, may enter  
11 into cooperative agreements to carry out the activities de-  
12 scribed in section 3(d).

