

[DISCUSSION DRAFT]

118TH CONGRESS
1ST SESSION

H. R. _____

To amend the Middle Class Tax Relief and Job Creation Act of 2012 to establish a uniform fee schedule applicable to the processing of forms for the consideration of applications for the placement of communications facilities on certain buildings and other property owned by the Federal Government, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Middle Class Tax Relief and Job Creation Act of 2012 to establish a uniform fee schedule applicable to the processing of forms for the consideration of applications for the placement of communications facilities on certain buildings and other property owned by the Federal Government, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Standard Fees to Ex-
3 pedite Evaluation and Streamlining Act” or the “Stand-
4 ard FEES Act”.

5 **SEC. 2. ESTABLISHMENT OF UNIFORM FEE SCHEDULE AP-
6 PPLICABLE TO THE PROCESSING OF CERTAIN
7 FORMS.**

8 (a) IN GENERAL.—Section 6409 of the Middle Class
9 Tax Relief and Job Creation Act of 2012 (47 U.S.C.
10 1455) is amended—

11 (1) by redesignating subsection (d) as sub-
12 section (e); and

13 (2) by inserting after subsection (c) the fol-
14 lowing:

15 “(d) COMMON FEE SCHEDULE.—

16 “(1) IN GENERAL.—The Administrator of Gen-
17 eral Services shall establish a uniform schedule of
18 fees applicable to the processing of the forms de-
19 scribed under subsections (b)(2) and (c)(3).

20 “(2) FEE GUIDELINES.—The schedule of fees
21 established under paragraph (1) shall be—

22 “(A) based on the direct costs incurred by
23 an agency in processing a form described under
24 subsection (b)(2) or (c)(3); and

25 “(B) competitively neutral with respect to
26 any fee established for the processing of a form

1 for a similar use of the building or other prop-
2 erty owned by the Federal Government.

3 “(3) EXCEPTIONS.—The Administrator of Gen-
4 eral Services may establish exceptions to the sched-
5 ule of fees established under paragraph (1)—

6 “(A) that are competitively neutral with
7 respect to the categories of individuals or enti-
8 ties to be granted the exception;

9 “(B) in consideration of the public benefit
10 of—

11 “(i) granting an easement, right-of-
12 way, or lease described under subsection
13 (b)(1); or

14 “(ii) entering into a contract for the
15 placement of a communications installation
16 facility under subsection (c)(1); and

17 “(C) in the interest of expanding the de-
18 ployment of broadband internet access service,
19 as defined in section 8.1(b) of title 47, Code of
20 Federal Regulations (or any successor regula-
21 tion).

22 “(4) ADOPTION BY EXECUTIVE AGENCIES.—

23 “(A) IN GENERAL.—The head of each ex-
24 ecutive agency shall adopt by regulation—

1 “(i) fees that correspond to the sched-
2 ule established by the Administrator under
3 paragraph (2); and

4 “(ii) any exceptions to such schedule
5 established by the Administrator under
6 paragraph (3).

7 “(B) EXCEPTIONS.—The head of an execu-
8 tive agency may only grant an exception pur-
9 suant to subparagraph (A)(ii) on a case-by-case
10 basis.

11 “(5) USE OF FEES COLLECTED.—Any fee col-
12 lected by an executive agency under this section
13 shall only be available to the extent, and in such
14 amounts, as are provided in advance in appropria-
15 tion Acts, to the agency to cover the costs of proc-
16 essing the forms described under subsection (b)(2)
17 and (c)(3).

18 “(6) RELATIONSHIP TO OTHER STATUTES.—
19 Any fee chargeable under this subsection shall
20 supercede any other fee applicable to the processing
21 a form described under subsection (b)(2) or (c)(3)
22 that is chargeable under another statute.”.

23 (b) DEADLINES.—

24 (1) FOR THE ADMINISTRATOR OF GENERAL
25 SERVICES.—Not later than 30 days after the date of

1 the enactment of this Act, the Administrator of Gen-
2 eral Services shall establish the schedule of fees re-
3 quired by section 6409(d) of the Middle Class Tax
4 Relief and Job Creation Act of 2012 (47 U.S.C.
5 1455(d)), as added by subsection (a).

6 (2) FOR EXECUTIVE AGENCIES.—Not later
7 than 120 days after the Administrator of General
8 Service establishes the schedule of fees described
9 under paragraph (1), the head of an executive agen-
10 cy required to adopt the fees and exceptions required
11 by section 6409(d)(4) of the Middle Class Tax Relief
12 and Job Creation Act of 2012 (47 U.S.C.
13 1455(d)(4)), as added by subsection (a), shall estab-
14 lish such fees and exceptions.