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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To amend the Middle Class Tax Relief and Job Creation Act of 2012 to provide for an application for a Federal easement, right-of-way, or lease with respect to a communications facility installation to be deemed granted if not granted or denied by the specified deadline, 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 provide for an application for a Federal easement, right-of-way, or lease with respect to a communications facility installation to be deemed granted if not granted or denied by the specified deadline, 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 “Granting Remaining
3 Applications Not Treated Efficiently or Delayed Act of
4 2023” or the “GRANTED Act of 2023”.

5 **SEC. 2. TIMELY CONSIDERATION OF APPLICATIONS FOR**
6 **FEDERAL EASEMENTS, RIGHTS-OF-WAY, AND**
7 **LEASES.**

8 (a) IN GENERAL.—Section 6409(b)(3) of the Middle
9 Class Tax Relief and Job Creation Act of 2012 (47 U.S.C.
10 1455(b)(3)) is amended—

11 (1) in subparagraph (A), by striking “duly
12 filed” and inserting “complete”; and

13 (2) by adding at the end the following:

14 “(E) DEEMED GRANTED.—If an executive
15 agency fails to grant or deny a complete appli-
16 cation by the deadline under subparagraph (A),
17 the application shall be deemed granted on the
18 day after such deadline.

19 “(F) WHEN APPLICATION CONSIDERED
20 COMPLETE; RECEIVED.—

21 “(i) WHEN APPLICATION CONSIDERED
22 COMPLETE.—For the purposes of this
23 paragraph, an application to an executive
24 agency shall be considered complete if the
25 applicant—

1 “(I) has taken the first proce-
2 dural step within the control of the
3 applicant to submit such an applica-
4 tion in accordance with the procedures
5 established by the executive agency
6 for the review and approval of such an
7 application; and

8 “(II) has not received a written
9 notice from the executive agency with-
10 in 30 days after the date on which the
11 application is received by the executive
12 agency—

13 “(aa) stating that all infor-
14 mation (including any form or
15 other document) required by the
16 executive agency to be submitted
17 for the application to be consid-
18 ered complete has not been sub-
19 mitted; and

20 “(bb) identifying the infor-
21 mation required to be submitted
22 that was not submitted.

23 “(ii) WHEN COMPLETE APPLICATION
24 CONSIDERED RECEIVED.—For the pur-

1 poses of this paragraph, a complete appli-
2 cation shall be considered received—

3 “(I) except as provided in sub-
4 clause (II), on the date on which the
5 applicant submits to the executive
6 agency all information (including any
7 form or other document) required by
8 the executive agency to be submitted
9 for the application to be considered
10 complete; or

11 “(II) in the case of an applica-
12 tion with respect to which all such in-
13 formation is not submitted and that is
14 considered complete under clause (i)
15 because the applicant has not received
16 a written notice from the executive
17 agency within the period described in
18 such clause, on the day after the last
19 day of such period.”.

20 (b) APPLICABILITY.—The amendments made by sub-
21 section (a) shall apply with respect to any application
22 under subsection (b) of section 6409 of the Middle Class
23 Tax Relief and Job Creation Act of 2012 (47 U.S.C.
24 1455) that is received by an executive agency (as defined

1 in subsection (d) of such section) on or after the date of
2 the enactment of this Act.