

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE
OFFERED BY _____**

At the end of subtitle D, add the following:

1 **CHAPTER 4—OTHER MATTER**
2 **SEC. 3331. APPLICATION OF NEPA AND NHPA TO COLLOCA-**
3 **TION OF CERTAIN PERSONAL WIRELESS**
4 **SERVICE FACILITIES.**

5 (a) NEPA EXEMPTION.—A covered project shall not
6 be subject to the requirements of section 102(2)(C) of the
7 National Environmental Policy Act of 1969 (42 U.S.C.
8 4332(2)(C)).

9 (b) NATIONAL HISTORIC PRESERVATION ACT EX-
10 EMPTION.—A covered project shall not be considered an
11 undertaking under section 300320 of title 54, United
12 States Code.

13 (c) DEFINITIONS.—In this section:

14 (1) COMMISSION.—The term “Commission”
15 means the Federal Communications Commission.

16 (2) COVERED PROJECT.—The term “covered
17 project” means a project—

18 (A) for—

1 (i) the mounting or installation of an
2 eligible personal wireless service facility
3 with another eligible personal wireless serv-
4 ice facility that exists at the time at which
5 a complete request for authorization of
6 such mounting or installation is filed with
7 a State or local government or instrumen-
8 tality thereof; or

9 (ii) the modification of an eligible per-
10 sonal wireless service facility; and

11 (B) for which a permit, license, or approval
12 from the Commission is required or that is oth-
13 erwise subject to the jurisdiction of the Com-
14 mission.

15 (3) ELIGIBLE PERSONAL WIRELESS SERVICE
16 FACILITY.—The term “eligible personal wireless
17 service facility” means any antenna, apparatus, or
18 transmitting device, and any equipment, switches,
19 wiring, cabling, power sources, shelters, or cabinets,
20 for the provision of a personal wireless service.

21 (4) PERSONAL WIRELESS SERVICES.—The term
22 “personal wireless services”—

23 (A) has the meaning given such term in
24 section 332(c)(7)(C) of the Communications
25 Act of 1934 (47 U.S.C. 332(c)(7)(C)); and

1 (B) also includes commercial mobile data
2 service (as defined in section 6001 of the Mid-
3 dle Class Tax Relief and Job Creation Act of
4 2012 (47 U.S.C. 1401)).

5 (5) STATE.—The term “State” means the 50
6 States, the District of Columbia, the territories and
7 possessions of the United States, and each federally
8 recognized Indian Tribe.

