

AMENDMENT TO _____

OFFERED BY _____

Add at the end the following:

1 **CHAPTER 4—OTHER MATTER**

2 **SEC. 3331. APPLICATION OF NEPA AND NHPA TO COVERED**

3 **COMMUNICATIONS PROJECTS.**

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

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

12 (c) DEFINITIONS.—In this section:

13 (1) COMMUNICATIONS FACILITY.—The term
14 “communications facility” includes—

15 (A) any wireless or wireline infrastructure
16 for the transmission of writing, signs, signals,
17 data, images, pictures, or sounds of all kinds;

18 (B) any transmitting device, tower, or sup-
19 port structure, and any equipment, switches,
20 wiring, cabling, power sources, shelters, or cabi-

1 nets, associated with the provision of commu-
2 nications services; and

3 (C) any antenna or apparatus that—

4 (i) is designed for the purpose of
5 emitting radio frequency;

6 (ii) is designed to be operated, or is
7 operating, from a fixed location; and

8 (iii) is added to a tower, building, or
9 other structure.

10 (2) COMMUNICATIONS SERVICE.—The term
11 “communications service” means a service for the
12 transmission of writing, signs, signals, data, images,
13 pictures, or sounds of all kinds.

14 (3) COVERED PROJECT.—The term “covered
15 project” means a project that—

16 (A) is to be carried out within an area for
17 which the President has declared a major dis-
18 aster or an emergency under the Robert T.
19 Stafford Disaster Relief and Emergency Assist-
20 ance Act (42 U.S.C. 5121 et seq.);

21 (B) is to be carried out not later than 5
22 years after the date on which the President
23 made such declaration; and

24 (C) replaces a communications facility
25 damaged by such disaster or emergency or

1 makes improvements to a communications facil-
2 ity in such area that could reasonably be con-
3 sidered as necessary for recovery from such dis-
4 aster or emergency or to prevent or mitigate fu-
5 ture disasters or emergencies.

