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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To streamline the permitting process for communications infrastructure on National Forest System lands.

IN THE HOUSE OF REPRESENTATIVES

Mr. JOHNSON of South Dakota introduced the following bill; which was referred to the Committee on _____

A BILL

To streamline the permitting process for communications infrastructure on National Forest System lands.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Facilitating Optimal
5 and Rapid Expansion and Siting of Telecommunications
6 Act” or the “FOREST Act”.

1 **SEC. 2. EXEMPTION FOR PREVIOUSLY ANALYZED AREAS OF**
2 **NATIONAL FOREST SYSTEM LANDS.**

3 (a) IN GENERAL.—The requirements under the Na-
4 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
5 et seq.) or division A of subtitle 54, United States Code,
6 shall not apply to an application for a communications use
7 authorization on National Forest System lands, including
8 National Forest System lands on which authorized utili-
9 ties, communications facilities, powerline facilities or roads
10 have been installed, if—

11 (1) the communications equipment is located in
12 or on existing infrastructure; or

13 (2) the communications facility is located on
14 previously analyzed areas of National Forest System
15 lands.

16 (b) NO ADDITIONAL CONSULTATION REQUIRED
17 UNDER CERTAIN CIRCUMSTANCES.—Notwithstanding
18 any other provision of law, the Secretary shall not be re-
19 quired to reinitiate consultation of the requirements under
20 the National Environmental Policy Act of 1969 (42 U.S.C.
21 4321 et seq.) or division A of subtitle 54, United States
22 Code, for an application for a communications use author-
23 ization on previously analyzed areas of National Forest
24 System lands if new information concerning a previously
25 analyzed area of National Forest Service land becomes
26 available.

1 (c) DEFINITIONS.—In this section:

2 (1) COMMUNICATIONS FACILITY; COMMUNICA-
3 TIONS USE AUTHORIZATION.—The terms “commu-
4 nications facility” and “communications use author-
5 ization” have the meanings given the terms, respec-
6 tively, in section 8705 of the Agriculture Improve-
7 ment Act of 2018 (43 U.S.C. 1761a).

8 (2) PREVIOUSLY ANALYZED AREAS OF NA-
9 TIONAL FOREST SYSTEM LANDS.—The term “pre-
10 viously analyzed areas of National Forest System
11 lands” means any National Forest Service land with
12 respect to which the Secretary has—

13 (A) granted, issued, and executed a com-
14 munications use authorization; and

15 (B) conducted sufficient environmental or
16 historical reviews.

17 (3) SECRETARY.—The term “Secretary” means
18 the Secretary of Agriculture, acting through the
19 Chief of the Forest Service.