

authorization by the Federal Communications Commission or is using duly authorized devices that do not require individual licenses; and

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

## (2) Executive agency

The term “executive agency” has the meaning given such term in section 102 of title 40.

(Pub. L. 112–96, title VI, §6409, Feb. 22, 2012, 126 Stat. 232; Pub. L. 115–141, div. P, title VI, §606(a), Mar. 23, 2018, 132 Stat. 1101.)

## Editorial Notes

### REFERENCES IN TEXT

Section 704 of the Telecommunications Act of 1996, referred to in subsecs. (a)(1) and (c)(1), is section 704 of Pub. L. 104–104, title VII, Feb. 8, 1996, 110 Stat. 151. Subsec. (a) of section 704 of Pub. L. 104–104 amended section 332 of this title. Subsec. (b) of section 704 of Pub. L. 104–104 is not classified to the Code. Subsec. (c) of section 704 of Pub. L. 104–104 is set out as a note under section 332 of this title.

The National Historic Preservation Act, referred to in subsec. (a)(3), is Pub. L. 89–665, Oct. 15, 1966, 80 Stat. 915, which was classified generally to subchapter II (§470 et seq.) of chapter 1A of Title 16, Conservation. The Act, except for section 1, was repealed and restated in division A (§300101 et seq.) of subtitle III of Title 54, National Park Service and Related Programs, by Pub. L. 113–287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of Title 16, see Disposition Table preceding section 100101 of Title 54.

The National Environmental Policy Act of 1969, referred to in subsecs. (a)(3) and (b)(3)(C), is Pub. L. 91–190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

### AMENDMENTS

2018—Subsecs. (b) to (d). Pub. L. 115–141 added subsecs. (b) to (d) and struck out former subsecs. (b) to (d) which related to Federal easements and rights-of-way, master contracts for wireless facility sitings, and definition of executive agency, respectively.

## Statutory Notes and Related Subsidiaries

### SAVINGS PROVISIONS

Pub. L. 115–141, div. P, title VI, §606(b), Mar. 23, 2018, 132 Stat. 1103, provided that: “An application for an easement, right-of-way, or lease that was made or granted under section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455) before the date of enactment of this Act [Mar. 23, 2018] shall continue, subject to that section as in effect on the day before such date of enactment.”

Pub. L. 115–141, div. P, title VI, §606(d), Mar. 23, 2018, 132 Stat. 1104, provided that:

“(1) REAL PROPERTY AUTHORITIES.—Nothing in this section [amending this section and enacting provisions set out as a note under this section], or the amendments made by this section, shall be construed as providing any executive agency with any new leasing or other real property authorities not existing prior to the date of enactment of this Act [Mar. 23, 2018].

“(2) EFFECT ON OTHER LAWS.—Nothing in this section, or the amendments made by this section, and no actions taken pursuant to this section, or the amendments made by this section, shall impact a decision or determination by any executive agency to sell, dispose of, declare excess or surplus, lease, reuse, or redevelop

any Federal real property pursuant to title 40, United States Code, the Federal Assets Sale and Transfer Act of 2016 (Public Law 114–287) [40 U.S.C. 1303 note], or any other law governing real property activities of the Federal Government. No agreement entered into pursuant to this section, or the amendments made by this section, may obligate the Federal Government to hold, control, or otherwise retain or use real property that may otherwise be deemed as excess, surplus, or that could be otherwise sold, leased, or redeveloped.”

## § 1456. System certification

Not later than 6 months after February 22, 2012, the Director of the Office of Management and Budget shall update and revise section 33.4 of OMB Circular A–11 to reflect the recommendations regarding such Circular made in the Commerce Spectrum Management Advisory Committee Incentive Subcommittee report, adopted January 11, 2011.

(Pub. L. 112–96, title VI, §6411, Feb. 22, 2012, 126 Stat. 234.)

## § 1457. Public Safety Trust Fund

### (a) Establishment of Public Safety Trust Fund

#### (1) In general

There is established in the Treasury of the United States a trust fund to be known as the Public Safety Trust Fund.

#### (2) Availability

Amounts deposited in the Public Safety Trust Fund shall remain available through fiscal year 2022. Any amounts remaining in the Fund after the end of such fiscal year shall be deposited in the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

### (b) Use of Fund

As amounts are deposited in the Public Safety Trust Fund, such amounts shall be used to make the following deposits or payments in the following order of priority:

#### (1) Repayment of amount borrowed for First Responder Network Authority

An amount not to exceed \$2,000,000,000 shall be available to the NTIA to reimburse the general fund of the Treasury for any amounts borrowed under section 1427 of this title.

#### (2) State and Local Implementation Fund

\$135,000,000 shall be deposited in the State and Local Implementation Fund established by section 1441 of this title.

#### (3) Buildout by First Responder Network Authority

\$7,000,000,000, reduced by the amount borrowed under section 1427 of this title, shall be deposited in the Network Construction Fund established by section 1426 of this title.

#### (4) Public safety research

\$100,000,000 shall be available to the Director of NIST to carry out section 1443 of this title.

#### (5) Deficit reduction

\$20,400,000,000 shall be deposited in the general fund of the Treasury, where such amount shall be dedicated for the sole purpose of deficit reduction.