



September 5, 2024

The Honorable Mike Johnson
Speaker, U.S. House of Representatives
H-232, The Capitol
Washington, D.C. 20515

The Honorable Hakeem Jeffries
Minority Leader, U.S. House of Representatives
H-204, The Capitol
Washington, D.C. 20515

Re: H.R. 3557, the American Broadband Deployment Act

Dear Speaker Johnson and Leader Jeffries:

On behalf of the undersigned organizations, representing stakeholders that build, own, manage, and enable the communications networks that millions of Americans rely on every day, we urge you to prioritize consideration of H.R. 3557, the American Broadband Deployment Act (“ABDA”), in the final months of this Congress. The U.S. broadband ecosystem is a crucial underpinning of our nation’s economic prosperity as well as its future, but to secure our future it must be accessible to every American without delay. This is why Congress has invested more than \$60 billion in our nation’s broadband infrastructure to bridge the digital divide. However, achieving this goal of universal connectivity will ultimately be limited unless certain barriers are removed today—and H.R. 3557 would go a long way to address these barriers. This legislation will help to ensure Congress’s historic investments to bridge the digital divide are successful.

There is clear bipartisan consensus that access to broadband is a critical component of participating in the modern economy. From farmers employing innovative services to monitor yields and unlock new efficiencies to municipalities modernizing services to improve accessibility, expand availability, and fortify public safety, reliable access to broadband is key to 21st century success. However, Congress’s historic investment could quickly fall short without permitting reform. This is particularly true in small and rural communities that could see a substantial increase in applications following the release of these funds. On this point, NTIA Administrator Alan Davidson noted in a recent hearing that, “. . . we want to make sure that we can get them through the permitting process in a timely way. It’s something we’ve heard a lot about, we’re doing a ton at the federal level, the local level is really important.”¹ Congress has the opportunity here to provide clear and streamlined rules through ABDA to ensure that these bottlenecks do not occur.

¹ *The Fiscal Year 2025 National Telecommunications and Information Administration Budget: Hearing Before the H. Subcommittee on Communications and Technology, 118th Cong. (May 15, 2024), <https://energycommerce.house.gov/events/communications-and-technology-subcommittee-hearing-the-fiscal-year-2025-national-telecommunications-and-information-administration-budget> (statement by Alan Davidson, NTIA Administrator).*

One key feature of the American Broadband Deployment Act is that it will codify several deployment streamlining orders and interpretations that the FCC has adopted over the past ten years. Spanning Republican and Democratic administrations, these rules carefully balance and respect the important role of localities in maintaining the aesthetics, character, and safety of their community, while also ensuring the timely deployment of needed infrastructure. Earlier this month, senior Republican FCC Commissioner Brendan Carr stated that ABDA “would codify a lot of really smart ideas . . . that ensure we can build out broadband in a cost effective way.”² Ensuring the predictable, proportionate, and transparent permitting process that respects state and local review, which ABDA does, must be a priority for Congress as it seeks to promote connectivity.

The FCC rules that ABDA would codify have been well-tested in the real world, having been in place for several years. The effectiveness of these rules goes beyond mere rhetoric and has been a catalyst for the explosive deployment of broadband access across our country. For example, in the two years after the FCC’s 2018 Small Cell Order, investment in wireless infrastructure surpassed the previous seven years combined, and more than half of the cell sites currently in service were deployed after the FCC adopted siting reforms. ABDA would also ensure continued equitable access to rights-of-way, a key area of deployment for state-of-the-art wireline infrastructure such as fiber, cable, small cell antennas, and power transmission, which delivers broadband and other services.

Beyond codifying FCC orders on broadband deployment, ABDA takes proactive steps to improve siting on federal lands and reduce unnecessary red tape for applications to deploy or improve communications networks. If enacted, this bill would ensure that all communities have consistent rules for siting infrastructure, speeding deployment and reducing overall costs for consumers. Time is of the essence to ensure that we do not lose momentum or progress in connecting all Americans.

The members represented by our organizations work tirelessly and continuously invest to ensure that every American has access to high-quality broadband networks. However, we need Congress to act to support this mission by enacting the American Broadband Deployment Act. We thank you for your consideration and your committed efforts to bring all Americans economic opportunity in the 21st century. Please let us know how we can be of assistance going forward.

Respectfully submitted,

Competitive Carriers Association

CTIA

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² *The Fiscal Year 2025 Federal Communications Commission Agency Budget: Hearing Before the H. Subcommittee on Communications and Technology*, 118th Cong. (July 9, 2024), <https://energycommerce.house.gov/events/communications-and-technology-subcommittee-hearing-the-fiscal-year-2025-federal-communications-commission-agency-budget> (statement by Brendan Carr, Commissioner, Federal Communications Commission).

NATE: The Communications Infrastructure Contractors Association

NCTA

NTCA

Rural Wireless Association

USTelecom

Wireless Infrastructure Association

WISPA – Broadband Without Borders

Cc:

Hon. Cathy McMorris Rodgers, Chair, House Committee on Energy and Commerce

Hon. Frank Pallone, Ranking Member, House Committee on Energy and Commerce

Hon. Robert Latta, Chair, House Subcommittee on Communications and Technology

Hon. Doris Matsui, Ranking Member, House Subcommittee on Communications and Technology

Hon. Earl “Buddy” Carter, Vice Chair, House Subcommittee on Communications and Technology