

**EXAMINING SOLUTIONS TO EXPEDITE
BROADBAND PERMITTING**

HEARING
BEFORE THE
SUBCOMMITTEE ON COMMUNICATIONS AND
TECHNOLOGY
OF THE
COMMITTEE ON ENERGY AND
COMMERCE
HOUSE OF REPRESENTATIVES
ONE HUNDRED NINETEENTH CONGRESS

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¹The bills have been retained in committee files and are available at <https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=118628>.

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EXAMINING SOLUTIONS TO EXPEDITE BROADBAND PERMITTING

THURSDAY, SEPTEMBER 18, 2025

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC.

The subcommittee met, pursuant to call, at 2:09 p.m. in the John D. Dingell Room 2123, Rayburn House Office Building, Hon. Richard Hudson (chairman of the subcommittee) presiding.

Members present: Representatives Hudson, Allen, Latta, Griffith, Carter of Georgia, Dunn, Fulcher, Pfluger, Cammack, Obernolte, Fry, Kean, Goldman, Fedorchak, Guthrie (ex officio), Matsui (subcommittee ranking member), Soto, Clarke, Ruiz, Peters, Dingell, Barragán, Carter of Louisiana, Menendez, Landsman, McClellan, and Castor.

Also present: Representative Joyce.

Staff present: Sydney Greene, Director of Finance and Logistics; Megan Jackson, Staff Director; Noah Jackson, Clerk, Communications and Technology; Sophie Khanahmadi, Deputy Staff Director; John Lin, Senior Counsel, Communications and Technology; Joel Miller, Chief Counsel; Seth Ricketts, Special Assistant; Dylan Rogers, Professional Staff Member; Hannah Anton, Minority Policy Analyst; Parul Desai, Minority Chief Counsel, Communications and Technology; Waverly Gordon, Minority Deputy Staff Director and General Counsel; Dan Miller, Minority Professional Staff Member; Emma Roehrig, Staff Assistant; Michael Scurato, Minority FCC Detailee; Johanna Thomas, Minority Counsel; and Shae Reinberg, Minority Intern.

Mr. HUDSON. The subcommittee will come to order.

The Chair recognizes himself for an opening statement.

OPENING STATEMENT OF HON. RICHARD HUDSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NORTH CAROLINA

Closing the digital divide has long been a bipartisan priority for this committee. Under both Republican and Democrat majorities we have discussed and found ways to ensure that every American has access to high-speed broadband. Today we have the opportunity to achieve this goal with the \$42 billion Broadband Equity Access and Deployment, or BEAD, program.

I think Members of both parties would agree that BEAD has not gone as well as we had hoped. After almost 4 years, not a single home has been connected. Some in my party wanted to completely scrap the

BEAD program and start over because of how the previous administration ran the program, but that is not my view. And we want to move forward, and we want to move forward as quickly as possible, and my goal is to fix this program so it can be deployed, so the broadband can be deployed quickly. The name of my bill that I introduced to do this is called the SPEED for BEAD Act, and it reflects this priority.

I am pleased that many of my proposed reforms have been adopted by the Trump administration and that they are working quickly to review and approve State proposals. Still, money alone will not close the digital divide. Burdensome, opaque, and expensive permitting reviews that exist at every level of government continue to prevent or delay deployment. I have heard this from broadband providers across the country.

In my home State of North Carolina, one provider has waited over a year for the Department of the Interior to review its application to build on Federal land, even though the agency is required to provide a response within 270 days. Another North Carolina provider, their project was delayed because it has to do a historic preservation review, despite the fact that it is on previously disturbed terrain that likely already had a review. And this is in addition to lengthy State and local application reviews that can include excessive costs unrelated to approving the permit.

Unless we streamline the permitting process, all the money we have dedicated to deployment will be tied up in burdensome reviews, resulting in more unnecessary delays, forcing millions of Americans to continue to wait for connectivity.

Energy and Commerce Committee Republicans are committed to reforming this process. For the past three Congresses, we have introduced a package of bills to address this problem. Each of these bills tackles an obstacle that has either prevented, delayed, or complicated deployment, with the goal of instilling certainty, predictability, and savings into this process. For example, my RAPID Act would exempt small-cell wireless antennas from burdensome and expensive environmental and historic preservation reviews, as well as reform the Tribal notification process to expedite wireless broadband deployment.

I look forward to the discussion today to find the best path forward together, Republicans and Democrats. Some of these bills passed the House last Congress with bipartisan support. I hope we can pass those bills, as well as the others, into law this Congress. Enacting this package will make deploying broadband cheaper, more predictable, and less burdensome, ultimately connecting more Americans, and that is the bottom line.

I want to acknowledge our partners at the Federal Communications Commission for their work on this issue. Under then-Chairman Pai, the FCC used its authorities to remove State and local obstacles for deployment. They worked to implement shot clocks and cap fees where they can. Their work is continuing under Chairman Brendan Carr, as they will seek comment later this month on additional proposals. We are grateful for this work, and through these bills hope to codify and build on what they have done.

I hope that instead of playing the blame game today, we can focus on making sure every American has access to the broadband service that is essential to life in the 21st century.

We have an esteemed panel of witnesses with us today, all of whom have expertise with the challenges of deploying broadband. I look forward to hearing from them, and I look forward to this discussion.

[The prepared statement of Mr. Hudson follows:]

**Opening Statement for Chairman Richard Hudson
Subcommittee on Communications and Technology
“Examining Solutions to Expedite Broadband Permitting”
Thursday, September 18, 2025, at 2:00pm**

Closing the digital divide has long been a bipartisan priority for this subcommittee. Under both Republican and Democratic majorities, we have discussed and found ways to ensure that every American has access to high-speed broadband. Today, we have the opportunity to achieve this goal with the \$42 billion Broadband Equity, Access, and Deployment (BEAD) program.

I think members of both parties would agree that BEAD has not gone as we had hoped. After almost four years, not a single home has been connected. Some in my party want to completely scrap BEAD and start over because of how the previous Administration ran the program. But that is not my view. My goal has been to fix the program so that we can deploy broadband quickly. The name of my bill, the SPEED for BEAD Act, reflects this.

I am pleased that many of my proposed reforms have been adopted by the Trump Administration and that they are working quickly to review and approve state proposals.

Still, money alone will not close the digital divide. Burdensome, opaque, and expensive permitting reviews that exist at every level of government continue to prevent or delay deployment. I have heard this from broadband providers across the country.

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I now yield five minutes to my colleague, Ranking Member
Matsui, for her opening statement.

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Mr. HUDSON. And now I recognize the ranking member, the gentlelady from California, for her opening statement.

OPENING STATEMENT OF HON. DORIS O. MATSUI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Ms. MATSUI. Thank you very much, Mr. Chairman.

Before we begin today's hearing, I want to start with something that should unite us. Every American deserves a right to speak freely and safely. Freedom of speech is a cornerstone of our democracy, and political violence has no place here. That is why I strongly condemn the assassination of Charlie Kirk. We must all stand against this violence and stand up for free speech.

Defending free speech also means standing against government censorship. Yesterday, ABC pulled Jimmy Kimmel off the air after threats from President Trump's FCC Chair. That is censorship, plain and simple, a direct attack on the First Amendment. President Trump has twisted the FCC from an independent agency into a political lapdog to silence his critics, and Republicans are letting it happen. If they truly cared about free speech, they will pass my Broadcast Freedom and Independence Act, which shields the media from political retaliation no matter their views. And this committee must do its job: Hold a full oversight hearing on the FCC to demand accountability for its abuse of power.

While this administration tears down our freedoms, it is also blocking real solutions Americans need, like connecting the tens of millions of—trapped on the wrong side of the digital divide. In my district, thousands are being left behind as the world goes digital. They are struggling to pay bills, see the doctor, and work or attend class from home.

Leataata Floyd Elementary in Sacramento, where over 95 percent of students come from low-income households, parents face impossible choices between food and broadband. When they can't afford the Internet, their children pay the price in the classroom. They are counting on us to deliver on broadband quickly and responsibly.

This hearing could have been our chance for real bipartisan permitting reform, modernizing outdated systems, and giving local governments the resources they need. Instead, Republicans are recycling the same broken playbook, offering the same one-sided, cookie-cutter solutions we heard last Congress.

Let's be clear: Republicans are checking boxes, not connecting communities. Here is the real problem Republicans won't address: Permitting offices are often understaffed and underresourced. Mandating arbitrary deadlines and rubber-stamp approvals doesn't fix that. It bulldozes local expertise and safeguards. Instead, we need Federal, State, and local collaboration.

Local leaders are on the front lines. Mayors in my district are ready to move heaven and Earth to connect their communities. Our job isn't to tie their hands, it is to help them succeed.

This doesn't mean the status quo is perfect. We can and should improve permitting predictability and effectiveness, especially at the Federal level. That is why I am coleading the Digital Applications Act with Congresswoman Cammack. It creates a one-stop on-

line portal to process and track broadband permitting on Federal land. That is really—that is real streamlining: practical, efficient, respectful of safeguards and local needs.

We succeeded before with bipartisan dig-once policies and consensus-driven FCC reforms. We should build on that, not tear it down.

And let's not forget the bigger crisis. Permitting reform means nothing if President Trump guts broadband funding. The Bipartisan Infrastructure Law made a historic \$65 billion investment in broadband through BEAD and digital equity programs so more people can benefit from Internet access.

In my district, community organizations were ready to use this funding to help people like Mohammed, a community college student who needed affordable, reliable Internet to take classes and build his career. He joined Computers for Kids, a Digital Navigators program offering tools to engage digitally in the greater Sacramento region. Broadband affordability and digital equity make stories like his possible, but President Trump is freezing broadband funding, undoing States' work and slashing affordability protections. These changes will cost consumers more while delivering less.

At the end of the day, BEAD and digital equity programs are our best shot at closing the digital divide. Without them, permitting reform is just a Band-Aid on a gaping wound. We can't let this administration sabotage the very programs that communities are counting on.

I thank our witnesses for being here today, and I look forward to the discussion.

[The prepared statement of Ms. Matsui follows:]

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of**

Subcommittee on Communications and Technology Ranking Member Doris Matsui

Subcommittee on Communications and Technology Hearing on “Examining Solutions to Expedite Broadband Permitting”

September 18, 2025

Thank you, Chairman Hudson.

Before we begin today’s hearing, I want to start with something that should unite us—every American deserves the right to speak freely and safely. Freedom of speech is a cornerstone of our democracy, and political violence has no place here. That’s why I condemn the assassination of Charlie Kirk. We must all stand against violence and stand up for free speech. Defending free speech also means standing against government censorship.

Yesterday, ABC pulled Jimmy Kimmel off the air after threats from President Trump’s FCC chair. That’s censorship—plain and simple. A direct attack on the First Amendment. President Trump has twisted the FCC from an independent agency into a political lapdog to silence his critics. And Republicans are letting it happen. If they truly care about free speech, they’ll pass my Broadcast Freedom and Independence Act, which shields the media from political retaliation—no matter their views.

And this Committee must do its job—hold a full oversight hearing on the FCC to demand accountability for its abuse of power. While this Administration tears down our freedoms, it’s also blocking real solutions Americans need—like connecting the tens of millions trapped on the wrong side of the digital divide.

In my district, thousands are being left behind as our world goes digital. They’re struggling to pay bills, see a doctor, and work or attend class from home. At Leataata Floyd Elementary in Sacramento, where over 95 percent of students come from low-income households, parents face impossible choices between food and broadband. When they can’t afford the internet, their children pay the price in the classroom. They’re counting on us to deliver on broadband—quickly and responsibly.

This hearing could have been our chance for real bipartisan permitting reform—modernizing outdated systems and giving local governments the resources they need. Instead, Republicans are recycling the same broken playbook—offering the same one-sided, cookie-cutter solutions we heard last Congress. Let’s be clear: Republicans are checking boxes, not connecting communities.

Here’s the real problem Republicans won’t address: Permitting offices are often understaffed and under-resourced.

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Mandating arbitrary deadlines and rubber-stamp approvals doesn't fix that. It bulldozes local expertise and safeguards. Instead, we need federal, state, and local collaboration. Local leaders are on the front lines. Mayors in my district are ready to move heaven and earth to connect their communities. Our job isn't to tie their hands—it's to help them succeed. That doesn't mean the status quo is perfect. We can and should improve permitting predictability and effectiveness. Especially at the federal level.

That's why I'm co-leading the DIGITAL Applications Act with Congresswoman Cammack. It creates a one-stop online portal to process and track broadband permitting on federal land. That's real streamlining—practical, efficient, respectful of safeguards and local needs. We've succeeded before with bipartisan “dig once” policies and consensus-based FCC reforms. We should build on that, not tear it down.

And let's not forget the bigger crisis—permitting reform means nothing if President Trump guts broadband funding. The Bipartisan Infrastructure Law made a historic \$65 billion investment in broadband—through BEAD and digital equity programs so more people can benefit from internet access.

In my district, community organizations were ready to use this funding to help people like Mohammad. A community college student who needed affordable, reliable internet to take classes and build his career. He joined Computer4Kids, a digital navigators program offering tools to engage digitally in the greater Sacramento region. Broadband affordability and digital equity make stories like his possible.

But President Trump is freezing broadband funding, undoing states' work, and slashing affordability protections. His changes will cost consumers MORE while delivering LESS. At the end of the day, BEAD and Digital Equity programs are our best shot at closing the digital divide. Without them, permitting reform is just a band-aid on a gaping wound. We can't let this Administration sabotage the very programs that communities are counting on.

I thank our witnesses for being here, and I look forward to the discussion. With that, I yield back.

Ms. MATSUI. With that, I yield back.

Mr. HUDSON. I thank the gentlelady. The chairman and ranking member of the full committee are currently on the House floor managing debate, and so I am going to recognize the vice chairman of the subcommittee, the gentleman from Georgia, to deliver the chairman's opening statement.

Thank you.

**OPENING STATEMENT ON BEHALF OF HON. BRETT GUTHRIE,
A REPRESENTATIVE IN CONGRESS FROM THE COMMON-
WEALTH OF KENTUCKY, DELIVERED BY HON. RICK W.
ALLEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE
OF GEORGIA**

Mr. ALLEN. Thank you, Chairman Hudson, for bringing us together for this important hearing, and thank you to the witnesses for your participation.

Two of our priorities here on the Energy and Commerce Committee are closing the digital divide and maintaining America's wireless leadership. Both of these goals require deploying infrastructure to connect unserved Americans, like many of our constituents. Whether we are putting fiber into the ground or building wireless networks needed to connect people in more remote areas, we must ensure that every American has the opportunity to participate in the 21st century digital economy.

Permitting continues to be one of the biggest obstacles to deploying this important infrastructure. Too often, broadband providers, from fiber companies to tower builders, are forced to delay their projects because of lengthy and cumbersome permitting processes that exist at every level of government. Money and time that should be spent on deployment is instead wasted on navigating Byzantine layers of red tape. We must address these challenges to ensure that every American has access to connectivity.

The legislation before us today, almost 30 bills, will streamline broadband permitting processes and address a range of issues. These bills implement shot clocks on State and local permitting reviews so providers have certainty on when they can expect decisions on their applications; cap excessive application fees so that money can be spent on construction rather than paperwork and compliance; exempt certain projects from redundant environmental and historic preservation reviews; encourage Federal agencies to prioritize broadband applications; and provide transparency into the opaque Federal permitting review process.

I am proud of the work that the members of this committee have done to advance these proposals. Enacting these bills will help us build the infrastructure needed to close the digital divide and further our technological leadership. And today we take the first step by obtaining the expert feedback on the specifics.

Thank you again to our witnesses for your participation. I look forward to hearing from you.

[The prepared statement of Mr. Guthrie follows:]

**Opening Statement of Chairman Brett Guthrie
Subcommittee on Communications and Technology
“Examining Solutions to Expedite Broadband Permitting”
Thursday, September 18, 2025, at 2:00 PM**

Thank you, Chairman Hudson, for bringing us together for this important hearing and thank you to the witnesses for your participation.

Two of my priorities as Chairman of the Energy and Commerce Committee are closing the digital divide and maintaining America’s wireless leadership. Both of these goals require deploying infrastructure to connect unserved Americans, like many of my constituents in Kentucky’s Second District. Whether we are putting fiber into the ground or building the wireless networks needed to connect people in more remote areas, we must ensure that every American has the opportunity to participate in the 21st century digital economy.

Permitting continues to be one of the biggest obstacles to deploying this important infrastructure. Too often, broadband providers—from fiber companies to tower builders—are forced to delay their projects because of lengthy and cumbersome permitting processes that exist at every level of government.

Money and time that should be spent on deployment is instead wasted on navigating byzantine layers of red tape.

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- implement shot clocks on state and local permitting reviews so providers have certainty on when they can expect decisions on their applications;
- cap excessive application fees so that money can be spent on construction instead of paperwork;
- exempt certain projects from redundant environmental and historic preservation reviews;
- encourage federal agencies to prioritize broadband applications; and
- provide transparency into the opaque federal permitting-review process.

I am proud of the work that members of this committee have done to advance these proposals. Enacting these bills will help us build the infrastructure needed to close the digital divide and further our technological leadership, and today we take the first step by obtaining expert feedback on the specifics.

Thank you again to the witnesses for your participation and I look forward to hearing from you.

Mr. Chairman, I yield back.

Mr. ALLEN. And with that, Mr. Chairman, I yield back.

Mr. HUDSON. I thank the gentleman. I will now recognize the gentlelady from New York in place of the ranking member for 5 minutes for her opening statement.

OPENING STATEMENT ON BEHALF OF OF HON. FRANK PALLONE, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, DELIVERED BY HON. YVETTE D. CLARKE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Ms. CLARKE. Thank you, Mr. Chairman. This is Ranking Member Pallone's statement, which I am reading on his behalf.

I have to start today by addressing the news of the day. After years of complaining about Jimmy Kimmel's jokes, President Trump was finally successful in and having the comedian taken off the air. Now Trump's censorship campaign has been carried out by Chairman Brendan Carr at the Federal Communications Commission. In fact, this latest Kimmel situation was prompted by an explicit threat that Chairman Carr made on a right-wing podcast yesterday. The broadcasters that aired Kimmel's show can—and I am quoting—“do this the easy way or the hard way.” Deplatform Kimmel or face the consequences at the FCC. This is unprecedented, outrageous, and, above all, dangerous.

In the past, members of this subcommittee, both Republican and Democrat, have been among the most vocal in calling out violations of the First Amendment. So I demand today, Mr. Chairman, that we convene an FCC oversight hearing immediately so we can have an opportunity to hold Chairman Carr accountable for the way he has weaponized the FCC against free speech and expression.

With that I will turn to the issue at hand. Fast, reliable, affordable broadband Internet is absolutely essential to modern life. It is the engine that powers most of our daily lives, and that is why I am so disturbed that the Trump administration is refusing to get broadband infrastructure funding out the door. It isn't supposed to be optional. This is the money that Congress wrote into law for our constituents to make sure they have the broadband access they need. But the Trump administration is choosing to deliberately delay and undermine the program, which would otherwise be putting shovels in the ground right now. It is a betrayal to our communities and our States who have been counting on the BEAD funding we promised them.

While I remain frustrated about the delays in the BEAD funding, I am pleased that we have a handful of bipartisan bills before us today that would improve old and outdated permitting processes. It is no secret that some Federal agencies operate according to archaic protocols that have slowed infrastructure deployment. Democrats are eager to work together with our Republican colleagues on bills to address these and other real shortcomings.

Unfortunately, the vast majority of the bills do not address the most pressing barriers to infrastructure deployment. Many of them are just politics dressed up as policy, amounting to little more than backdoor attacks on important environmental protections. Others would needlessly and wrongly undermine local, State, and Tribal governments.

For instance, the “shot clock” legislation before us today would impose arbitrary deadlines and a one-size-fits-all mandate on local governments, ignoring basic sunshine laws that ensure constituents have a say in local decisions. I cannot support efforts like these which would steamroll mayors and town councils in the communities we serve, and strip our constituents of their right to be heard.

If my Republican colleagues really want to remove barriers to broadband deployment, they should consider legislation to provide Federal, State, local, and Tribal partners with the resources they need to get the job done. Passing a bill here in Washington that simply tells local and Tribal governments to not only do more but to do it more quickly and with less is simply not a real solution.

The truth is no matter—excuse me—no amount of permitting reform can make up for the damage the Trump administration is actively doing to broadband deployment by delaying the BEAD program, which should have broken ground at the beginning of the year. Instead, Commerce Secretary Lutnick has imposed further delays and forced States to restart their work from scratch. The result is that 9 months later no shovels are in the ground and there are fiber optic cables in the warehouse collecting dust. Now entire communities will remain disconnected and unable to access broadband Internet.

The Trump administration is also poised to spend billions of dollars to subsidize inferior service options like satellite, which every American can already access today. Low Earth orbit satellite broadband service like Elon Musk’s Starlink is the main beneficiary of Secretary Lutnick’s meddling with the BEAD program. But Federal investments in broadband deployment are meant to build infrastructure to communities that the private sector has not reached. It appears Secretary Lutnick’s plan is to saddle communities with the cheapest service available so that he and President Trump can illegally claw back tens of billions of broadband dollars that were promised to our States.

[The prepared statement of Mr. Pallone follows:]

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of**

Subcommittee on Communications and Technology Member Yvette Clarke

Subcommittee on Communications and Technology Hearing on “Examining Solutions to Expedite Broadband Permitting”

September 18, 2025

I have to start today by addressing the news of the day. After years of complaining about Jimmy Kimmel’s jokes, President Trump was finally successful in having the comedian taken off the air.

Now, Trump’s censorship campaign has been carried out by Chairman Brendan Carr at the Federal Communications Commission. In fact, this latest Kimmel situation was prompted by an explicit threat that Chairman Carr made on a right-wing podcast yesterday – that broadcasters that air Kimmel’s show can (and I’m quoting) “do this the easy way or the hard way” – deplatform Kimmel or face the consequences at the FCC. This is unprecedented, outrageous, and, above all, dangerous.

In the past, members of this Subcommittee, both Republican and Democrat, have been among the most vocal in calling out violations of the First Amendment. So I demand today, Mr. Chairman, that we convene an FCC oversight hearing immediately so we have an opportunity to hold Chairman Carr accountable for the way he has weaponized the FCC against free speech and expression.

With that, I will turn to the issue at hand. Fast, reliable, and affordable broadband internet is absolutely essential to modern life. It is the engine that powers most of our daily lives, and that’s why I am so disturbed that the Trump Administration is refusing to get broadband infrastructure funding out the door. It isn’t supposed to be optional. This is money that Congress wrote into law for our constituents, to make sure they have the broadband access they need, but the Trump Administration is choosing to deliberately delay and undermine the program – which would otherwise be putting shovels in the ground right now. It’s a betrayal to our communities and our states, who have been counting on the BEAD funding we promised them.

While I remain frustrated about the delays in BEAD funding, I am pleased that we have a handful of bipartisan bills before us today that would improve old and outdated permitting processes. It is no secret that some federal agencies operate according to archaic protocols that have slowed infrastructure deployment. Democrats are eager to work together with our Republican colleagues on bills to address these and other real shortcomings.

Unfortunately, the vast majority of the bills do not address the most pressing barriers to infrastructure deployment. Many of them are just politics dressed up as policy, amounting to little more than backdoor attacks on important environmental protections.

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Page 2

Others would needlessly and wrongly undermine local, state, and tribal governments. For instance, the “shot clock” legislation before us today would impose arbitrary deadlines and one-size-fits-all mandates on local governments, ignoring basic sunshine laws that ensure constituents have a say in local decisions. I cannot support efforts like these, which would steamroll mayors and town councils in the communities we serve, and strip our constituents of their right to be heard.

If my Republican colleagues really want to remove barriers to broadband deployment, they should consider legislation to provide federal, state, local, and tribal partners with the resources they need to get the job done. Passing a bill here in Washington that simply tells local and tribal governments to not only do more, but to do it more quickly and with less, is simply not a real solution.

The truth is, no amount of permitting reform can make up for the damage the Trump Administration is actively doing to broadband deployment by delaying the BEAD program, which should have broken ground at the beginning of the year. Instead, Commerce Secretary Lutnick has imposed further delays and forced states to restart their work from scratch. The result is that nine months later, no shovels are in the ground and there are fiber optic cables in the warehouse, collecting dust. Now, entire communities will remain disconnected and unable to access broadband internet.

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Low earth orbit satellite broadband service, like Elon Musk’s Starlink, is the main beneficiary of Secretary Lutnick’s meddling with the BEAD program. But federal investments in broadband deployment are meant to build infrastructure to communities that the private sector has not reached. It appears Secretary Lutnick’s plan is to saddle communities with the cheapest service available so that he and President Trump can illegally – claw back tens of billions of broadband dollars that were promised to our states.

I yield back the balance of my time.

Ms. CLARKE. With that, Mr. Chairman, I yield back the balance of my time.

Mr. HUDSON. I thank the gentlelady, and I would just like to remind all members of this committee that this is a really important hearing. These witnesses have made extraordinary effort to be here today to testify. I hope we can really focus on this issue at hand of how quickly we can get broadband deployed. And I think we may have some disagreements about how to get there, but I really hope we can stay focused on that.

I hear both the ranking member of the subcommittee and the full committee raised concerns about the Jimmy Kimmel issue. I just think maybe we can move beyond that and focus on the issue at hand. I find it interesting they raised that, because two senior members of this committee in February of 2021 wrote the CEOs of 12 content providers asking them to censor Fox News and Newsmax and other organizations because of what they claimed to be misinformation. I also have a letter I remember from March 1 of 2023, where both Hakeem Jeffries and Charles Schumer wrote a threatening letter to Fox News saying that they needed to take action against Tucker Carlson. And lo and behold, a month later, they fired Tucker Carlson. So I just find it a little bit curious that folks are raising this issue in this way now. I hope we can just put this aside, and let's focus on the issue at hand and show respect to these great witnesses who are here.

As we have now concluded Member opening statements, the Chair reminds Members that, pursuant to the committee rules, all Members' opening statements will be made part of the record.

We would like to thank our witnesses for being here today to testify before the subcommittee.

Our witnesses will have 5 minutes each to provide an opening statement, which will be followed by a round of questions from the members of the committee.

The witnesses here before us today are Jonathan Spalter, president and CEO, USTelecom–The Broadband Association; Patrick Halley, president and CEO of the Wireless Infrastructure Association; Staci Pies, senior vice president of government affairs and policy, INCOMPAS; and Drew Garner, director of policy engagement, Benton Institute for Broadband and Society.

Thank you all for being here today.

Mr. Spalter, you are recognized for 5 minutes.

STATEMENT OF JONATHAN SPALTER, PRESIDENT AND CHIEF EXECUTIVE OFFICER, USTELECOM-THE BROADBAND ASSOCIATION; PATRICK HALLEY, PRESIDENT AND CHIEF EXECUTIVE OFFICER, WIRELESS INFRASTRUCTURE ASSOCIATION; STACI PIES, SENIOR VICE PRESIDENT, GOVERNMENT RELATIONS AND POLICY, INCOMPAS; AND DREW GARNER, DIRECTOR OF POLICY ENGAGEMENT, BENTON INSTITUTE FOR BROADBAND & SOCIETY

STATEMENT OF JONATHAN SPALTER

Mr. SPALTER. Well, thank you very much, Chairman Hudson and Ranking Member Matsui, all members of the subcommittee who are convening us here today.

You know, one of the many statistics that are flying around social media—and I confirm it by a human being source, not just by ChatGPT—is that for kids that are entering primary school, 65 percent of the jobs available to them will be in fields that don't yet exist. But here is the catch: That statistic actually comes from 2016. Those same kids now are just entering or are freshmen in high school, and they are staring at an uncertain future, preparing to make very big choices that are going to shape their lives as well as our Nation's future. And we owe it to them and every generation coming up behind them to move with urgency today on the matter before us, to build the networks that will carry them into the careers, industries, and innovations that they and we can barely imagine.

And we know that permitting delays are one of the single greatest barriers to their future. Without timely permits there is no broadband. And this requires policy reforms, but it also requires a shift in our collective mindset toward practicality, towards commonsense outcomes over bureaucracy, more green lights and less red tape. And we think there are three big principles to help us get there.

The first is let's cut duplication. In places where infrastructure already exists, obviously, where rights-of-way have already been studied, let's not go back to square one. Let's expedite the approvals.

Second, clear timelines. On Federal lands that means decisions within 30 days. If after 60 days, if no decision, then that is the decision: The permit is deemed granted. We move, we build, we connect.

Third is end the gridlock. Where permitting delays are unreasonable or simply unsolvable, there must be rational Federal mechanisms to ensure that broadband deployment can keep moving forward.

Now, permitting horror stories can be shared around a campfire with a flashlight under your chin, and we have all heard far too many, and I am happy to share more in my testimony. But what we found is that the problem is rarely rejection. It is delay. Crews are hired, equipment is staged, capital is invested, and then projects vanish into permitting purgatory.

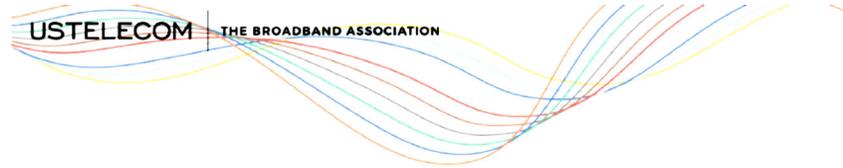
And we are not here asking to lower standards. We are here seeking better processes. Our country can no longer afford to keep reciting the same old excuses. If that is all we accomplished today, then we repeat the very same bureaucratic failures we are here to try to eradicate. Too much is on the line: the opportunity for every community to be able to compete, to be sites for data centers and advanced manufacturing jobs; America's leadership of the AI revolution; our Nation's ability to compete with our global rivals.

We know that China right now is salivating as we speak at the thought of American bureaucracy grinding our progress towards innovation to a halt. One of the greatest threats to our connected future is death by 1,000 paper cuts. This is particularly urgent right now, as we have heard, because BEAD will soon be on the clock. Providers, our members, have just 4 short years from award to build and deliver. Permits are the biggest barriers to hitting these important marks.

And Mr. Chairman, if broadband permitting stays stuck in the past, many of your constituents will be too. Our global competitors are not waiting. Neither can we. Your Nation's broadband providers are ready. Our trenchers, our engineers, our splicers, our linemen, our entire broadband workforce, they are raring to go. Let's get them moving. Let's get them building.

Thank you very much. I look forward to your questions.

[The prepared statement of Mr. Spalter follows:]



**WRITTEN TESTIMONY OF JONATHAN SPALTER
PRESIDENT & CEO, USTELECOM – THE BROADBAND ASSOCIATION
BEFORE THE HOUSE ENERGY & COMMERCE
SUBCOMMITTEE ON COMMUNICATIONS & TECHNOLOGY
HEARING ON STREAMLINING BROADBAND PERMITTING
SEPTEMBER 18, 2025**

Chairman Hudson, Ranking Member Matsui, and distinguished Members of the Subcommittee, thank you for convening this important hearing.

My name is Jonathan Spalter, and I am the President and CEO of USTelecom – The Broadband Association. USTelecom is the national trade association representing network providers, innovators, suppliers, and manufacturers connecting the world through the power of broadband. Our membership ranges from local and regional companies and cooperatives that have roots in their communities going back a century or more to leading publicly traded companies, some of the largest investors and job creators in our country. We are united by our shared commitment to connect every community to opportunity and to serve as the strong, essential foundation to America’s continued leadership of the global information economy, particularly now at the dawn of the AI era. Our nation has always led with vision, with determination and with expediency.

A CRITICAL MOMENT FOR U.S. GLOBAL LEADERSHIP

When Congress authorized the Interstate Highway System in 1956, it set a clear national course, provided the funding, and cut through red tape that could have slowed progress across 50 states. That leadership delivered 41,000 miles of interstate highways that knit our economy together. We saw the same lesson more recently in June 2023, when a tanker fire caused a section of I-95 in Philadelphia to collapse. That stretch carried more than 150,000 vehicles a day, including 14,000 trucks vital to commerce. Officials warned repairs could take months, but thanks to emergency funding, 24/7 construction, and expedited approvals, six lanes were reopened in just 12 days. This 12-day miracle shows that when government rolls up its sleeves with urgency, we can clear away bottlenecks and deliver critical infrastructure at the speed America needs.

At key turning points in the growth and evolution of this nation, each generation understood: when infrastructure is strategic, when competitiveness is on the line, government must clear the path. We meant business then. We must mean business now in today's complex and connected world.

Broadband permitting may not be the most attention-grabbing issue. But it is no exaggeration to say that it impacts every corner of America today – everything from America's leadership of the AI revolution to our ability to compete with global rivals, led by China, who are salivating at the thought of American bureaucracy gumming up the wheels of progress and putting U.S.

leadership in jeopardy. And, the stakes ripple all the way out to your constituents back home, and to the commitment we have made as a country to connect everyone, from the farmer in North Carolina to the student in rural California, and everywhere in between.

The broadband networks we build today – the reach they have into every community – will determine whether America leads or lags in the global race for artificial intelligence, advanced manufacturing, and the next wave of technological innovation. If our permitting is stuck in neutral, ultimately so are we as a connected nation.

PERMITTING HORROR STORIES

The stories of permitting delays are legion, and they could be told around a campfire with a flashlight under your chin:

- In Utah, one broadband provider had to wait three years to get permission to access federal land just to repair an existing fiber optic line. They spent so much time in the circular fray that they were forced to redo their environmental studies because the original data had expired — wasting time and money better spent on deploying broadband.
- In California and New Mexico, one of our member companies had \$11 million in fiber sidelined by federal permitting backlogs. Crews were hired, equipment staged. This is a common refrain.

- In the Rockies, a 360-mile broadband project was derailed over pine seedlings that had sprouted on the side of a road. One Forest Service employee proposed a common-sense mitigation plan. Another insisted the entire project undergo a full environmental assessment — threatening years of delay over less than two miles of right-of-way. It took thousands of pages of filings and significant, unrecoverable costs to unwind the knot.

In the beginning of my testimony, I talked about each generation rising to the challenge of connecting our country and moving our nation and its economy forward. One of the great ironies today is that our railroad system, like broadband, was a revolution in its time with the very same aim. Yet today, those same rights-of-way are too often cited as one of the biggest permitting roadblocks to deploying broadband at the speed America needs.

- Take Kansas, where broadband builders were forced to halt work for months because a railroad insisted on a permit that was not necessary and threatened legal action unless the provider paid tens of thousands in fees, hired unnecessary flag personnel, and agreed to annual renewals. After 60 days of delay and mounting costs, the provider finally had to bore 15 feet under the tracks just to move forward. A vital broadband project was slowed for months — not by technology, not by funding, but by outdated permitting practices on railroad rights-of-way.

And, the roadblocks are hardly limited to federal red tape. State and local requirements can also be counterproductive.

- The running joke in Minnesota is that there are two seasons: winter and construction. Because of the short construction season, even brief delays can set projects back an entire year. One rural broadband build has been forced to wait more than six months just for a soil testing permit. By the time overlapping federal and state reviews are complete, the project will have been delayed nearly two years — leaving entire rural communities without service while costs mounted and contractors sat idle.
- In Florida, one city still demands “hard copy” permit applications—in triplicate—and in specific non-standard paper sizes.
- In Illinois, fees run as high as \$100 per foot to deploy fiber in tunnels. That’s a big, round, arbitrary number – totally unrelated to the actual work.
- In multiple states, historical reviews have dragged projects out for years. Among the most notorious examples: A requirement that providers drill holes every 100 meters on historical streets to hunt for artifacts—often times, only to uncover beer bottles.
- In North Carolina, state law requires municipalities to review broadband permits within 30 days, yet some towns regularly take 90 days or longer.

I applaud Federal Communications Chairman Brendan Carr for announcing just last week that the FCC will be exploring actions to streamline this type of permitting red tape at the state and local levels. Chairman Carr has long made the case that “permitting reform is vital to the nation’s efforts to promote broadband builds and close the digital divide.” This work builds on the actions the FCC took several years ago to streamline small cell permitting. Just as that effort paved the way for our 5G future, streamlined permitting for wired broadband deployment will pave the way for our AI future.

I commend this subcommittee for leading on these issues. We need Congress to craft permanent solutions that allow appropriate reviews while reducing excessive red tape that immobilizes funding, stops work and obstructs needed progress. Otherwise, the real horror story is what we risk losing from lack of connectivity.

BEAD AND THE PERMITTING BOTTLENECK

As this committee well knows, BEAD presents our nation with a real shot at finishing the job of connecting America. Failure is not an option, and permitting is a clear and present risk to our success. Reflecting the urgency we feel as a nation, broadband companies have just four years to get every BEAD-funded network built and ready for service. Yet before they can lay a single strand of fiber, they must navigate NEPA environmental reviews, historic preservation reviews, endangered species consultations, and rights-of-way permits, to name just a few challenges.

Let me be clear: broadband providers are not asking to avoid all reviews and that's reflected in many of the legislative proposals we're discussing today. But the overwhelming majority of our real-world challenges are not about being rejected outright but rather disappearing into the bureaucracy with no resolution in sight.

We owe your constituents, our customers, better, and that means clear timelines that lead to efficient outcomes, so communities are not left waiting for the power and promise of high-speed connectivity. When the process goes off the rails — when permits drag on for years,

when duplicative reviews block projects that have already been vetted, when obstacles replace oversight — there has to be a release valve.

SOLUTIONS

What common-sense reform looks like:

1. Reviewers should expedite permitting in places where infrastructure already exists or in places that have been previously analyzed or approved.
2. Applications for permitting on federal lands should be reviewed by federal agencies within 30 days. In the absence of a decision, after an additional 30-day grace period – so 60 days total – that permit is deemed granted.
3. We need to find a clear approach to break the bottlenecks at the federal, state and local level. It is imperative that we as a nation set a federal baseline to ensure progress. Where there are intractable, unreasonable blockages that prevent Americans from getting the high-speed broadband they should expect, and we are ready to deliver, we need a federal framework that allows us to keep pressing forward. That's common-sense policymaking.

Are these goals achievable? We believe to our core the answer is yes. But we need a whole of government approach – legislative and executive, federal, state and local—and the same 'let's go' sense of urgency that has delivered for our nation through every major infrastructure milestone in our history.

I encourage all policymakers in Washington, including here in Congress, to do everything they can to address this problem and turbocharge the communications infrastructure deployment that is foundational for U.S. competitiveness and our innovation future.

When American communities can compete for the next chip fab, data center or advanced manufacturing facility, two of the factors that site selection teams look at are: whether the community has the broadband capacity, and whether they can get the infrastructure in the ground fast.

The good news: We have examples right here in this subcommittee, in your legislative drafts, that can help ensure your communities can compete for these opportunities.

I'm happy to discuss any and all of the proposals. Among the highlights:

- Rep. Joyce's Broadband and Telecommunications RAIL Act would put a spike in unreasonable costs and delays from the railroads by creating a path for the FCC to step in and alleviate log jams.
- Rep. Goldman's SPEED for Broadband Infrastructure Act gets under the hood on NEPA and historic preservation reviews. It keeps state and local zoning authority intact, while exempting reviews for projects substantially similar to existing facilities or where easements on federal property have already been granted to a provider or utility.
- Rep. Griffith's Broadband Leadership Act imposes shot clocks on approvals and restricts local fees to cost-based, transparent charges.

- Rep. Obernolte’s GRANTED Act tightens the “deemed granted” remedy for federal rights of way, easement and lease applications. An agency has 30 days to submit a written notice of what’s missing in an application – or the project advances.

CALL TO MINDSET SHIFT

These are great ideas, among many offered by this subcommittee. It presents us with a profound opportunity to press the reset button not just on statutory language, as these bills are proposing, but on mindsets. Already we are seeing the beginnings of this progress. NTIA’s Broadband Permitting Council, for example, has done a tremendous job identifying and recommending categorical exclusions for previously analyzed rights-of-way.

We can’t stop there. This is a call to practicality. Common sense. Growth. Real-world outcomes over process. At its heart, our shared effort to put in place smart permitting reforms is about whether America will lead or lag. Our global competitors — led by China — are not waiting. Neither can we.

For our part, the nation’s broadband providers are ready to go. Our fiber spools are forward deployed in warehouses and on fields across the country. Our trenchers, our engineers and technicians, our fiber splicers and linemen, our broadband workforce are all geared up. Let’s get them moving. And Congress can make that happen by helping to clear the path. Thank you for your leadership on these issues, and please, as always, consider USTelecom and our members as a resource and a partner as you continue your important work.

Mr. HUDSON. Thank you very much.

Mr. Halley, you are recognized for 5 minutes for your opening statement.

STATEMENT OF PATRICK HALLEY

Mr. HALLEY. Chairman Hudson, Ranking Member Matsui, and members of the subcommittee, thank you for holding this important and timely hearing. I am pleased to be here on behalf of the Wireless Infrastructure Association, the principal organization representing the companies that design, build, own, and operate the infrastructure that powers America's mobile and fixed wireless networks. WIA member efforts to deploy and upgrade wireless infrastructure are directly affected by permitting decisions daily, and we welcome the opportunity to share our perspective.

Whether it is from the front seat of your car, your own car or perhaps an autonomous taxi, inside a stadium, on a manufacturing floor, streaming a movie from the comfort of your couch, or while responding to an emergency, access to wireless communications is essential. Wireless connectivity is at the core of every sector of our technology-driven economy. That is why it is so important that the United States is and that we remain the global leader in wireless.

I am here today first to share the good news of the American wireless success story. Where we are getting our spectrum and our infrastructure policies right, it is working. Wireless carriers and their infrastructure partners are investing billions annually to close coverage gaps and add network capacity. Mobile broadband speeds are up, way up. Prices are down. Enterprises are increasingly turning to advanced private wireless connectivity and its fixed wireless broadband service that is leading the charge to close the digital divide in rural communities, with 13 million homes now connected with 5G fixed wireless home broadband service.

These networks will also serve as the foundation for the next technology revolution. Powerful advancements will be driven by artificial intelligence, technology that will be integral to the operation of wireless networks and new applications and services that will be made possible by those networks.

I am also here with a cautionary message: Our future success is not guaranteed. It depends on the adoption of smart infrastructure policies that unleash the full power of commercial spectrum. In the months and years ahead, we will collectively focus on the importance of winning the global AI race. And as we continue to reap the benefits of 5G, we will also chart a path towards winning the race to 6G. The reality is that neither of those races can be won unless we win both. The champion will be the country that ushers in an era of unmatched productivity and economic growth, and leads advances in national security. That is why this hearing is so important.

Congress, led by this subcommittee, already passed landmark legislation earlier this year, providing a pipeline of 800 megahertz of full power licensed spectrum for commercial use. That was a big deal, and there is still a lot of work to be done to free up this spectrum. The deployment of 6G is expected to start by the end of this decade, and the U.S. industry—mobile industry will need access to at least 600 megahertz by then just to keep pace globally.

So whether it is a macro tower, a small cell on a rooftop, inside of a building, the full potential of that spectrum depends on access to wireless infrastructure. We are ready to get to work to build that infrastructure that Congress has called for. At the local level, this will mean having coverage sufficient to provide access to lifesaving connectivity and enough capacity to take advantage of the full capabilities of 5G and future 6G networks. On the global stage, it is the difference between winning the AI race and standing on the sidelines.

WIA seeks a national wireless infrastructure permitting framework, one that respects the important role of local governments and Federal agencies in infrastructure siting. In fact, the local government role is essential for the sustainability of the wireless infrastructure ecosystem. We welcome an effective partnership with local governments.

Specifically, we need a permitting framework that is predictable, proportionate, and transparent. And the good news is we are not starting from scratch. Building off of legislation, the FCC, in a bipartisan manner over the past decade, has adopted a series of rules consistent with these principles. The legislation being considered by this subcommittee today would codify those important bipartisan actions and strengthen the rules of the road.

WIA urges Congress to create the certainty our industry and our government partners need to build the networks of today and tomorrow. I know that we all share that goal of connecting every single community, so let's work together to get the job done. Thank you very much.

[The prepared statement of Mr. Halley follows:]



Wireless
Infrastructure
Association

**Testimony of
Patrick Halley
President and Chief Executive Officer
Wireless Infrastructure Association**

Before the

**Subcommittee on Communications and Technology
Energy and Commerce Committee
United States House of Representatives**

Hearing titled

“Examining Solutions to Expedite Broadband Permitting”

September 18, 2025

Chairman Hudson, Ranking Member Matsui, Chairman Guthrie, Ranking Member Pallone, and members of the Subcommittee, thank you for holding this timely hearing highlighting the importance of efficient and streamlined infrastructure permitting processes. I am Patrick Halley, President and CEO of the Wireless Infrastructure Association (WIA)—the principal association representing the companies that design, build, own, and operate the infrastructure that powers America’s mobile and fixed wireless networks. WIA members’ efforts to deploy and upgrade wireless infrastructure are directly affected by permitting decisions daily, and we welcome the opportunity to share our perspective.

Whether it is from the front seat of a car (your own or an autonomous taxi), inside stadiums, on manufacturing floors, streaming a movie from the comfort of a couch, or while responding to an emergency, access to wireless communications is essential. Wireless connectivity is at the core of every sector of our technology-driven economy. That is why it is so important that the United States is, and that we remain, the global leader in wireless.

I am here today first to share the good news of the American wireless success story. Where we are getting our spectrum and infrastructure policies right, it is working. Wireless carriers and their infrastructure partners are investing billions annually to close coverage gaps and increase capacity. Mobile broadband speeds are up, prices are down, enterprises are increasingly turning to advanced private wireless connectivity, and it is fixed wireless broadband service that is leading the charge to close the digital divide in rural communities. These networks will also serve as the foundation for the next technology revolution. Powerful advancements will be driven by artificial intelligence (AI), technology that will be integral to the operation of wireless networks, and new applications and services made possible by those networks.

I am also here with a cautionary message—our future success is not guaranteed. It depends on recognizing that wireless infrastructure is AI infrastructure and the adoption of smart infrastructure policies that unleash the full power of commercial spectrum. In the months and years ahead, we will collectively focus on the importance of winning the global AI race. And we will concentrate our energy on winning the race to 6G. The reality is that neither race can be won unless we win both. The champion will be the country that ushers in an era of unmatched productivity and economic growth and leads global advances in national security.

That is why today's hearing is so important. Congress, led by this committee, already passed landmark legislation earlier this year providing a pipeline of 800 MHz of full-power licensed spectrum for commercial use. Whether it is via a macro tower, a small cell, on a rooftop, or inside a building, the full potential of that spectrum depends on access to wireless infrastructure.

At the local level, this can mean the difference between having coverage sufficient to provide access to life-saving connectivity and enough capacity to take advantage of the full

capabilities of advanced 5G and 6G networks. On the global stage, it is the difference between winning the AI race or sitting on the sidelines.

WIA seeks a national wireless infrastructure permitting framework that is predictable, proportionate, and transparent for all. Such a framework respects the important role of local governments in infrastructure siting—in fact, the local government role is essential for the sustainability of the wireless infrastructure ecosystem. We welcome, and in most communities we have, an effective partnership with local governments. Specifically, we need a permitting framework that is:

- **Predictable:** Local regulations that are consistent with federal law, contain objective application review criteria, with clear and workable design standards.
- **Proportionate:** Fees and levels of required review that are commensurate with the nature of the undertaking; upgrades and modifications of existing structures should not require the same level of review as new builds.
- **Transparent:** Clear processes providing the status of projects and feedback on areas of concern. WIA members seek to work with communities to remedy siting issues, but those concerns must be expressed in a clear and timely manner.

The good news is that we are not starting from scratch. The FCC, in a highly bipartisan manner over the past decade, has adopted a series of rules consistent with these principles. The legislation being considered by the Subcommittee today would codify those prior bipartisan actions and strengthen the rules of the road. WIA urges this Subcommittee and Congress to finish the job.

I. Evolving Wireless Networks are Reshaping America.

Whether for daily life, work, or in emergencies, the ability to connect instantly is invaluable—and often assumed. This connectivity supports every aspect of the American economy, from manufacturing to agriculture, healthcare, transportation, education, and beyond. And, while these networks seem magical—they are not magic. They require the right mix of spectrum and infrastructure, access to capital (including federal support in uneconomic areas), and a highly skilled and well-trained workforce to get the job done.

A. Wireless Networks Underpin Modern American Life.

On its own, the wireless industry contributes significantly to the U.S. economy through investments and job creation. In 2024, wireless infrastructure investments—including construction, maintenance, and operations—amounted to more than \$63 billion. By the end of 2024, 368,750 full-time workers or equivalents were engaged in building, maintaining, and operating the nation’s cellular networks, supporting 5G and LTE, indoor and outdoor coverage and private network deployments. These women and men—from the tower techs to engineers—helped to build, maintain, and operate nearly 155,000 cell towers.¹

That hard work translates into real life. Imagine you are about to hit “send” on a text to a friend—or maybe you are sending a prompt on your mobile device to your preferred AI service. Your smartphone takes your message or request and turns it into radio waves. If you’re outside, those radio waves fly through the open air until they’re caught by the antennas on the nearest cell tower. If you’re indoors—say at an office building, or maybe a stadium or hospital, in-building

¹ WIA, *Wireless Infrastructure By the Numbers: 2024 Key Statistics* (May 7, 2025), <https://wia.org/wireless-infrastructure-by-the-numbers-2024/>.

wireless equipment steps in to pick up the signal. From there, the radio waves get translated into pulses of light and travel over fiber optic cables that stretch across neighborhoods, cities, and even oceans. The light pulses eventually reach data centers filled with powerful computers that act like the brains of the wireless network. All of this infrastructure is necessary to satisfy our insatiable hunger for more data. From smartphones to towers and antennas to fiber optic cables to data centers and back again—in milliseconds. This is the ecosystem of America’s wireless infrastructure industry that supports every aspect of the economy.

At WIA, our mission is to enable connectivity *everywhere*—every person, every organization, every thing, connected in every corner of the country. The demand for data on wireless networks is steadily increasing for both mobile and fixed wireless access. Last year marked the third straight year of 35 percent growth in mobile data usage—reaching 132 exabytes. The total number of U.S. wireless connections reached 579 million, or 1.7 connections per American. Nearly half of those connections, 259 million devices, are now 5G-enabled.²

The 5G evolution has also enabled innovations in home broadband. Fixed Wireless Access (FWA) delivered over 5G networks has emerged as the fastest-growing alternative to traditional fixed broadband. With more than 13 million home internet customers now using 5G FWA, in addition to the efforts of traditional wireless internet service providers (WISPs), wireless providers have brought millions of new broadband connections—and choice—to U.S. households, many of which were previously underserved or entirely unserved by traditional broadband providers. As the *Wall Street Journal* recently reported, this increased rivalry is resulting in more aggressive pricing, better service offerings, and new promotions as wireless and cable operators compete for

² 2025 Annual Survey Highlights, CTIA (Sept. 8, 2025), <https://www.ctia.org/news/2025-annual-survey-highlights>.

market share.³ For consumers, this fight is a win, delivering more value and greater flexibility than ever before. This is even more important in rural areas, as one of the most compelling aspects of 5G FWA is its ability to deliver fast, reliable broadband without the need for physical fiber or cable infrastructure all the way to the home. This makes it an ideal solution in areas where laying last-mile fiber is cost-prohibitive, or where the only existing option is copper-based DSL. For too long, many consumers in rural, suburban, and even some urban areas, have had little or no choice when it came to internet service. With the rise of 5G FWA, that dynamic is changing.

In addition to home broadband services, more businesses are turning to wireless for their enterprise indoor connectivity needs—from manufacturing floors to stadiums, hospitals, hotels, and school campuses, to shipping ports and airports. In-building, small cells, and private wireless networks are being deployed across industries for consistent coverage and secure connections, and this connectivity is driving innovation in automation and robotics, patient monitoring, public and employee safety, and customer experience. Analysts estimate more than 40,000 private 4G and 5G networks will be in operation globally by 2030 (a 500 percent increase) with 80 percent of active deployments being private 5G.⁴

B. Wireless Networks: Powering America’s AI Future

So how do we win this global tech race? We start by looking right in our own back yard and making sure each American community—rural, urban, and suburban—has rock solid connectivity. Connectivity is the lifeblood of our data-driven world; data that makes AI possible.

³ Patience Haggin, *A Fight Between Cable and Wireless Providers Means Cheaper Home Internet for You*, WALL ST. J., (June 24, 2025), <https://www.wsj.com/business/telecom/a-fight-between-cable-and-wireless-providers-means-cheaper-home-internet-for-you-b36cc086>.

⁴ James Blacman, *Private 5G update – 500% growth by 2030*, RCR WIRELESS NEWS (Jul. 31, 2025), <https://www.rcrwireless.com/20250731/private-5g/private-5g-500pc-growth>.

At a foundational level, wireless infrastructure is AI infrastructure—from data centers to fiber optic lines to antennas and towers. As Congress looks to advance policies to address the energy and permitting needs of data centers, we need an equal focus on the permitting issues for all aspects of wireless infrastructure to unleash the full potential of wireless connectivity—and therefore the full potential of our AI future.

Wireless networks are not merely a supporting act in the AI race. As was seen through the app revolution that 4G networks enabled, generational changes in technology are built on top of wireless networks—and the AI revolution will be no different. The true utility of these tools, unleashing innovations like smart manufacturing and farming, autonomous vehicles, and robust automation, will all be dependent on ubiquitous and reliable wireless connections. As a former National Security Council Director for Emerging Technologies recently put it, “...information gathered on edge devices will be the battleground on which the AI race is won or lost.”⁵

Simply put, to continue to advance connectivity across the country, meet consumer demand, maintain our competitive edge in 5G, and lead on 6G and AI, America must build high-speed wireless infrastructure.

II. Congress Can Ensure a Consistent, National Wireless Permitting Framework.

WIA seeks a national wireless infrastructure permitting framework that is predictable, proportionate, and transparent. Such a framework respects the important role of local governments in infrastructure siting. States and communities understand the critical nature of wireless service and wireless infrastructure. They use it to deliver government services and to meet the needs of

⁵ Navin Girishankar and Matt Pearl, *The Missing Link in the AI Stack: Why Digital Infrastructure Is Essential to U.S. Leadership*, CTR. FOR STRAT. & INT’L. STUDIES (Apr. 3, 2025), <https://www.csis.org/analysis/missing-link-ai-stack-why-digital-infrastructure-essential-us-leadership>.

businesses and families. As landowners, partnerships with industry bring in much needed revenue. And, just like the wireless industry, they want to bring innovation and a high quality of life to their communities. WIA and its members share this vision.

A. Bipartisan Efforts: The Strong Foundation for Streamlined Wireless Infrastructure.

Congressional action, aided by sensible implementation at the Federal Communications Commission (FCC), has been effective in reducing barriers to deployment.⁶ The fastest, most efficient, and least impactful way to deploy wireless networks is by colocating on existing facilities. Congress recognized this, leading it to enact section 6409 of the 2012 Spectrum Act, providing that “a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.”⁷ This provision jumpstarted the deployment of modern wireless networks.

The FCC’s subsequent bipartisan orders interpreting this statute have led to significantly more efficient siting of facilities that do not substantially alter the physical environment. These interpretations began under the Obama Administration and Chairman Wheeler, specifying a 60-day “shot clock” for colocations after which the application would be deemed granted.⁸ Most

⁶ See, e.g., Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112-96 at Sec. 6409, codified at 47 U.S.C. § 1455(a); *Implementation of State and Local Governments’ Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012*, Declaratory Ruling, 35 FCC Rcd 5977 (2020) [“5G Upgrade Order”]; *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, 30 FCC Rcd 9088 (2018) [“Small Cell Order”]; *Accelerating Wireless Broadband Deployment by Improving Wireless Facilities Siting Policies*, Report and Order, 29 FCC Rcd 12865 (2014) [“2014 Infrastructure Order”].

⁷ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112-96 at Sec. 6409, codified at 47 U.S.C. § 1455(a).

⁸ *2014 Infrastructure Order* at 12961 (“After a careful assessment of the statutory provision and a review of the record, we establish a deemed granted remedy for cases in which the applicable State or municipal reviewing

recently, the FCC’s 2020 5G Upgrade Order—enacted during the first Trump Administration under Chairman Pai (with then-Commissioner Carr’s leadership), and defended in court by Chairwoman Rosenworcel—made crucial clarifications to the Commission’s regulations implementing section 6409 regarding shot clock determinations and when the siting of new facilities would be considered a “substantial change” in physical dimensions under the law.⁹

When new facility deployments are required, there are important rules for “shot clocks” that originated in President Obama’s first term under FCC Chairman Genachowski.¹⁰ Similarly, the FCC’s 2018 Orders streamlined the deployment of small wireless facilities by clarifying the scope of local authority, curbing excessive fees, and instituting shot clocks for state and local review. The FCC did this by making use of the tools Congress provided in sections 253 and 332 of the Communications Act to promote 5G infrastructure. Relatedly, the FCC used the statutory provisions of section 253(a) to ban siting moratoria while still respecting the role of local governments. Data shows that such reforms were effective, with siting activity in the two years following the FCC’s order exceeding the previous seven years combined—an explosive trend that has continued through today.¹¹

authority fails to issue a decision within 60 days (subject to any tolling, as described above) on an application submitted pursuant to Section 6409(a).”).

⁹ *Implementation of State and Local Governments’ Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012*, Declaratory Ruling, 35 FCC Rcd 5977 (June 10, 2020) (“5G Upgrade Order”) (*aff’d*, *League of CA Cities, et al. v. FCC*, No.20-71765 (9th Cir. 2024)).

¹⁰ See *City of Arlington, Tex. v. FCC*, 668 F.3d 229, 256 (5th Cir. 2012) (*aff’d*, 133 S. Ct. 1863 (2013)).

¹¹ See CTIA, *2021 Annual Survey Highlights*, at 5 (July 17, 2021), <https://www.ctia.org/news/2021-annual-survey-highlights> (showing that more cell sites were deployed in the two years following the FCC’s siting reform than the previous 7 years combined); CTIA, *2024 Annual Survey Highlights*, at 6 (Sept. 10, 2024), <https://www.ctia.org/news/2024-annual-survey-highlights> (detailing sustained deployment including a continued 24% year over year increase in cell site deployment).

Now, under the leadership of Chairman Carr, the FCC is focused on supporting “Build America” policies that ensure critical communications infrastructure can be deployed as quickly as possible.¹² The fiber and wireless streamlining efforts of this plan will address key remaining roadblocks to deployment and promote America’s connected future.¹³ We are encouraged by the potential of these actions that continue a highly bipartisan tradition of streamlining infrastructure deployment to the benefit of all Americans.

B. Congress’ Role is to Maintain and Strengthen Streamlining Reforms.

The permitting barriers removed via FCC interpretation of statute are critical but require Congressional action. Notwithstanding the agency’s orders being affirmed on appeal,¹⁴ continued efforts to skirt the bounds of FCC rules now matched with broader changes to administrative law emphasize the need for Congressional action. With the landmark decision in *Loper Bright*, which removed the standard of deference courts must provide agency interpretations, the impetus to legislate is now back with Congress.¹⁵ Indeed, the legislative package before the Subcommittee today is a unique opportunity to meet this moment in a post-*Chevron* landscape. The blueprint for

¹² See *A Build Agenda for America*, Remarks of FCC Chairman Brendan Carr (Jul. 2, 2025), <https://docs.fcc.gov/public/attachments/DOC-412663A1.pdf> (outlining the focus of the Build America Agenda to include accelerating high-speed infrastructure builds, restoring America’s leadership in wireless, and strengthening America’s telecom workforce, among others).

¹³ See, e.g., *In the Matter of Build America: Eliminating Barriers to Wireless Deployments*, WT Docket No. 25-276; *In the Matter of Build America: Eliminating Barriers to Wireline Deployments*, WC Docket No. 25-253 (items to be considered at the FCC’s September 2025 Open Meeting to address outstanding siting issues under its preemption authority provided in sections 253, 332, and 6409).

¹⁴ *League of CA Cities, et al. v. FCC* (upholding the majority of the FCC’s 2020 *5G Upgrade Order* clarifying applications of section 6409); *City of Portland v. United States*, 969 F.3d 1020 (9th Cir. 2020), *cert. denied*, *City of Portland v. FCC*, 141 S. Ct. 2855 (2021) (largely upholding the FCC’s decisions to implement limitations on rules for siting small wireless facilities); *Montgomery County v. FCC*, 811 F.3d 121 (4th Cir. 2015) (affirming 2014 order implementing section 6409).

¹⁵ *Loper Bright Enterprises et al. v. Raimondo, Secretary Of Commerce, et al.*, 603 U. S. ____, 17-19(2024) (providing that courts must adhere to the clear intent of Congress in its degree of delegation in the statute, rather than defer to reasonable interpretations of ambiguous questions in reviewing agency actions).

today's legislation is the culmination of over a decade of work at the FCC, spanning multiple administrations and directed at the bipartisan goal of ensuring critical broadband infrastructure is ubiquitously and timely deployed. By adopting legislation consistent with the carefully considered conclusions of the Commission, Congress can ensure that these needed reforms remain available to spur critical communications deployments across the country.

Accordingly, while the FCC's existing rules must be respected, WIA supports efforts to codify the FCC's interpretive decisions, and several bills included in the package for discussion today aim to do so. This includes the legislation before the Subcommittee today, including those that would make permanent reforms to shot clocks and prevent unreasonable fees, among other changes consistent with previous FCC efforts. These bipartisan FCC reforms have already had a real impact on wireless deployment, but it is up to Congress to preserve and strengthen these rules.

Siting on federal lands also continues to be a vexing proposition despite previous Congressional action, so WIA is pleased to see bills that would allow continued deployment in these important areas. As provided in the MOBILE NOW Act, federal land management agencies are directed to streamline the permitting process through the adoption of a common application form and to act on those applications within 270 days.¹⁶ Unfortunately, this process has still not been fully implemented, with the Government Accountability Office (GAO) reporting that less than half of communications use applications on Bureau of Land Management lands were being approved within that timeline, while over forty percent did not have sufficiently accurate and complete information to determine whether they met the deadline.¹⁷ As we continue to push

¹⁶ Consolidated Appropriations Act 2018, Pub. L. No. 115-141, Division P [Mobile Now Act].

¹⁷ *Broadband Deployment: Agencies Should Take Steps to Better Meet Deadline for Processing Permits*, GAO-24-106157 (Apr. 2024), <https://www.gao.gov/assets/gao-24-106157.pdf>.

networks further out across rural America, timely access to siting on federal lands, particularly in the west, is essential. The Subcommittee now has before it bills that would pick back up the torch on the reforms provided in MOBILE NOW by reauthorizing and charging the Department of Commerce and NTIA to implement modern processing and tracking tools for federal land management agencies.

Another important element of setting the right national permitting framework is ensuring environmental reviews are proportionate to the undertaking. Deployments that upgrade existing facilities, are proposed in brownfield areas, or are rebuilding infrastructure damaged during a disaster, do not require the same level of scrutiny that other new deployments may. While there are many current developments in the overall application of the National Environmental Protection Act and the National Historic Protection Act, the bills presented for discussion today continue to advance the important notion of proportionality.

The time for action is now. Congress has already set the stage for broadband deployment with the Infrastructure Investment and Jobs Act, which created the BEAD program, as well as a commitment to putting 800 MHz of licensed commercial spectrum to use in the recent budget reconciliation legislation. As Chairman Carr has previously testified, creating the deployment mechanism without streamlining permitting “is like stepping on the gas and brakes at the same time.”¹⁸ This sentiment was shared by former President Biden’s Deputy Secretary of Commerce Don Graves, who highlighted “permitting, permitting, permitting” as one of the main issues preventing broadband deployment.¹⁹

¹⁸ *The Fiscal Year 2025 Federal Communications Commission Agency Budget*, Testimony of Brendan Carr, Commissioner, FCC, SUBCOMM. ON COMM’NCS. AND TECH (Jul. 9, 2024), <https://docs.fcc.gov/public/attachments/DOC-404046A1.pdf>.

¹⁹ Don Graves, Deputy Secretary of Commerce, <https://ustelecom.org/american-connectivity-forum/> (40:03).

III. Congress Should be Proactive in Enabling the Infrastructure Workforce.

Finally, we must also recognize the men and women working across the country to build and operate broadband networks and continue to focus our efforts on developing the workforce capable of meeting the broadband deployment needs of today and tomorrow. WIA is a national leader in workforce development for the wireless and broadband industry, and we appreciate the efforts Congress and the Administration have taken to make resources available for this purpose. WIA is committed to proactively working with stakeholders nationwide to ensure our communications workforce needs do not become an additional barrier to deployment.

WIA has been proud to be part of the broadband workforce solution through our Telecommunications Industry Registered Apprenticeship Program (TIRAP).²⁰ From tower construction leads to wireless and fiber optic technicians to utility installers, TIRAP helps to prepare the skilled and technical workforce needed to deploy wireless and AI infrastructure across America. These careers also present a viable alternative to traditional four-year institutions that allow participants to earn while they learn. WIA supports the Administration's stated goal of registering at least one million apprentices and looks forward to continued collaboration with all stakeholders to achieve this vision.

Infrastructure projects are, at their core, jobs programs. Accordingly, WIA believes BEAD can serve as a springboard not just for jobs, but long-term careers. Workforce development is already an eligible use of BEAD funding, but it has never been prioritized in the manner necessary to maximize the nation's investment. Consistent with the core objectives of the "Infrastructure, Investment, and Jobs Act," Congress should encourage NTIA to prioritize workforce development

²⁰ See Telecommunications Industry Registered Apprenticeship Program (TIRAP), <https://www.tirap.org/> (last visited Sept. 15, 2025).

programs now, at the outset, so that the workforce required to deploy BEAD is ready to start installing broadband at the jump. NTIA should emphasize and encourage states to adopt proven solutions, such as the use of industry intermediaries and apprenticeship programs, that support long-term career development opportunities. To this end, WIA supports the goal of the SPEED for BEAD Act, which explicitly enumerates workforce development as an appropriate use of BEAD non-deployment funding.²¹

V. Conclusion

Today's hearing, and the bills it will consider, tee up many important issues as we seek to advance the future of American connectivity. There is a lot at stake, and I am grateful to add to the conversation.

²¹ H.R. 1870, SPEED for BEAD Act, 119th Cong. (2025).

Mr. HUDSON. Thank you.

Ms. Pies, you are now recognized for 5 minutes to deliver your opening statement.

Be sure your mic is on there.

STATEMENT OF STACI PIES

Ms. PIES. Chairman Hudson, Ranking Member Matsui, and distinguished members of the subcommittee, thank you for the opportunity to testify on behalf of INCOMPAS and our members.

My name is Stacy Pies, and I am the senior vice president of government relations and policy at INCOMPAS. I have the privilege of representing the creators, builders, and adopters of our digital ecosystem. These are the companies that are responsible for the infrastructure powering America's broadband and AI future. Together we work to advance policies that turn investment into innovation and connect communities to the future.

Today we are all focused on the builders, the companies that are making the critical investments to bring advanced networks and technologies into everyday life. These builders need a permitting system that strengthens communities and secures our Nation's economic leadership and national security. We commend this committee for considering legislative solutions today that will address some of the most persistent barriers to investment and deployment. The bills before you represent precisely the kind of leadership we need to ensure America's digital infrastructure keeps pace with innovation.

We are at a pivotal moment. The U.S. is investing billions in broadband and AI infrastructure. Our builders are ready. Our capital is waiting. But our permitting system is stuck in the past. That is why INCOMPAS strongly supports permitting reform efforts such as the RAIL Act, led by Congressman John Joyce, as well as FCC Chairman Carr's Build America agenda. These efforts are not just about cutting red tape, they are about unleashing America's economic potential and securing our global competitive edge.

Let me be clear. Permitting reform is economic policy. Every day of delay costs jobs, stifles innovation, and risks ceding our leadership to nations that are building faster than we are.

Consider railroad crossings, one of the biggest barriers to broadband deployment. We have seen fees as high as \$45,000 per crossing and delays stretching nearly 2 years. That is not just a hurdle, it is a derailment. The RAIL Act addresses this issue, establishing a fair and streamlined process that balances safety and local authority with the goal of getting networks built.

We also commend NTIA's work on BEAD, but permitting reform must go further. Private investments face the same broken system. Across the board, providers face a maze of duplicative reviews and inconsistent standards. Congress should extend streamlined permitting across all investments so every dollar delivers its full value.

And we cannot afford to look backwards. AI infrastructure is coming fast. It needs fiber, energy generation and transmission, and advanced data centers. These projects can't wait years for permits to be issued. Congress must streamline the deployment of

multistate fiber routes and energy corridors to support the AI revolution. If we do not act now, we will risk falling behind.

And we applaud Chairman Carr's leadership at the FCC. His Build America agenda demonstrates what can be achieved, establishing strict, clear timelines, investigating prohibitions on deployment, and making the process transparent. And we look forward to working with him as he investigates and removes additional barriers to deployment, and we encourage you and Congress to codify the FCC's reforms.

Finally, Congress must empower local leaders. With BEAD and private capital flooding in, many communities are struggling to keep up. That is why we commend States like North Carolina, which has taken proactive steps to streamline permitting as part of its BEAD implementation strategy, recognizing that faster approvals are essential to meeting deployment deadlines and maximizing impact. With this consistent approach, States should be encouraged to support digital permitting tools, skilled staff, standardized timelines, and emerging infrastructure needs such as AI corridors and high-capacity connections.

We appreciate the committee's attention to the practical challenges of implementation, so let me close with this: America's broadband future and the AI innovation it will power depends on the infrastructure we build today. We can either lead the world in deployment or we can lead in excuses for why international competitors are moving faster in deploying emerging technologies. Builders are ready. Permits should be too.

Thank you.

[The prepared statement of Ms. Pies follows:]



Statement by

Staci Pies

**Senior Vice President, Government Relations and Policy
INCOMPAS**

Before the

**United States House of Representatives
Committee on Energy and Commerce**

Subcommittee on Communications and Technology

“Examining Solutions to Expedite Broadband Permitting”

Washington, DC

September 18, 2025

Introduction and Background

Chairman Hudson, Ranking Member Matsui, and distinguished Members of the Subcommittee, thank you for the opportunity to submit this testimony on behalf of INCOMPAS and our members, competitive providers building the next generation of communications, broadband, artificial intelligence, and energy infrastructure across the country. My name is Staci Pies, and I am the Senior Vice President of Government Relations and Policy at INCOMPAS. I have the privilege of representing the creators, builders, and adopters of our digital ecosystem; together, we work to advance policies that turn investment into innovation and connect communities to the networks of the future.

Today, I want to focus on the builders: the companies making critical investments that enable innovation and bring advanced networks and technologies into everyday life. These builders need a permitting process that turns investment into progress, strengthens communities, and secures our nation's economic and national security future.

I have spent my career working with these companies and the policymakers who shape their operating environment. I have seen firsthand how outdated permitting rules can stall investment, frustrate communities, and leave families and businesses disconnected. Let me start with a simple truth: permitting delays are not just a bureaucratic inconvenience; they are a drag on our economy and a barrier to innovation. Every month lost to delay means fewer homes connected, fewer jobs created, and fewer businesses able to compete globally. The networks and facilities that power broadband and AI are the backbone of our economy and a cornerstone of national security. If network builders are forced to wait years for approvals or pay excessive fees to gain access to rights-of-way, American deployment will fall behind.

We commend this Committee for considering legislative solutions today that will address some of the most persistent barriers to investment and deployment. The bills before you represent precisely the type of leadership needed to ensure America's digital infrastructure keeps pace with innovation.

I also want to acknowledge my colleagues at WIA and U.S. Telecom. While we represent different parts of the industry, we share a common commitment to finding solutions that accelerate deployment. By working together, we can modernize permitting in ways that support investment, expand broadband access, and prepare the infrastructure necessary for future technologies, such as AI.

Why Permitting Reform Matters Now

We are at a pivotal moment. The U.S. government and the private sector are investing billions in broadband, energy, and AI infrastructure. Here's the reality: our builders are ready, our capital is waiting, but our permitting system is stuck in the past. The risk to broadband investment is not theoretical; we have heard concerns from builders that permitting delays and excessive fees could jeopardize the success of the BEAD and Middle Mile Grant programs, which are tied to strict federal deadlines. If states and communities are not broadband-ready, they forfeit the growth that comes from these new investment opportunities and miss the chance to connect their residents.

The proposals before this Committee today, including *the RAIL Act* and *the Broadband Incentives for Communities Act*, underscore a commitment to accelerating broadband deployment. These measures aim to eliminate unnecessary delays, enabling communities to access high-speed connectivity more quickly, thereby supporting education, healthcare, and

economic growth. At the same time, the reforms that speed broadband projects will also help prepare the infrastructure needed for emerging technologies like AI, which depend on robust networks, reliable power, and modern data center facilities. By advancing practical, balanced permitting solutions, Congress can ensure that broadband reaches every community, laying the groundwork for the next generation of innovation. This is not just about red tape; it is about America's competitive edge slipping away while other nations build faster.

That is why INCOMPAS strongly supports efforts such as the RAIL Act and FCC Chairman Carr's Build America agenda. These endeavors reflect what our members tell us every day: we are ready to build, but the permitting system is not equipped to support us.

The RAIL Act: A Critical Fix

Railroad crossings are among the most persistent and costly barriers to broadband deployment. While the permission and review process is regularly lengthy, in some cases, approvals take more than 22 months for a single crossing, while fees of up to \$45,000 per crossing drive up costs and slow down construction. Without a fix, these barriers will keep entire communities from receiving broadband service.

The bipartisan, bicameral RAIL Act, led by Congressman John Joyce, provides a clear and balanced path forward. It establishes a straightforward process for providers to access railroad rights-of-way, sets reasonable timelines, limits fees to safety-related costs, and gives both parties a path to resolve disputes through the FCC. The RAIL Act respects local authority while ensuring providers are not forced to wait indefinitely or pay excessive charges. It is a practical reform that directly addresses one of the most damaging bottlenecks to broadband expansion. This is not just good policy; it is an economic necessity. INCOMPAS supports this

legislative solution, which directly addresses issues of timeliness and costs associated with railroad crossings.

Additional Federal Action: Streamlining the System

Today, providers still navigate a maze of duplicative reviews and varied, inconsistent standards that drive up costs and delay projects. These delays do more than frustrate builders; they jeopardize the timelines for connecting communities and threaten America's position in the global economy.

With that in mind, we commend NTIA for the progress it has made within the BEAD program. The adoption of categorical exclusions and programmatic tools to streamline environmental and historic reviews represents a meaningful step forward. These changes will help accelerate BEAD-funded projects and demonstrate that reform is possible without compromising environmental stewardship. However, these improvements should not be limited to BEAD. Broadband projects financed through private investment or other federal programs face the same permitting challenges and deserve the same level of efficiency. The reforms implemented by NTIA demonstrate what is possible. Extending these principles across all projects and agencies will ensure that the billions invested in broadband translate into timely connections for communities and a stronger foundation for America's competitiveness.

Congress now has an opportunity to build on this progress. Designating NTIA as the single federal lead for broadband permitting would replace today's patchwork of conflicting reviews with a coordinated process. A unified approach would reduce costly delays and provide clarity for applicants. At the same time, Congress should require agencies to adopt a "One Bite at the Apple" framework so that applications are reviewed *once*, in coordination, rather than

through repetitive and sequential steps. Finally, clear deadlines and accountability measures are essential to ensure that permitting does not become an open-ended process.

Congress must also require enforceable shot clocks for federal reviews. Approvals should proceed on a predictable timetable, with automatic approval if agencies fail to meet their deadlines. Without this accountability, projects will languish, and communities will fall behind. A number of the legislative solutions put forward today provide a clear path to these reforms, and their passage would be a critical step in ensuring that BEAD, Middle Mile Grant, and private sector investments do not become a missed opportunity.

Federal agencies must also do their part. They should adopt AI-enabled permitting tools that can automate reviews and provide transparency, coordinate closely with states and localities to align policies, and clearly establish that facilities such as data centers, edge computing, and fiber backhaul are essential components of critical digital infrastructure, entitled to streamlined treatment. Without this clarity, projects vital to economic and national security will remain vulnerable to delay.

While broadband remains the immediate focus, Congress and the Administration must also anticipate the infrastructure demands of artificial intelligence. AI workloads require fiber, energy generation and transmission, and data infrastructure that cannot wait on multi-year permitting cycles. In accordance with the administration's AI Action Plan, Congress should work across all levels of government to fast-track permitting for multistate fiber routes that connect AI and energy hubs. Without these actions, America risks ceding technological leadership to global competitors.

With these targeted steps, Congress and federal agencies can accelerate broadband deployment today while ensuring that our networks are prepared to power the AI economy of tomorrow.

FCC Leadership: Build America, Faster

We also commend Chairman Carr for his leadership on pole attachment reform and his recently announced efforts under Section 253 to examine deployment barriers. His Build America agenda demonstrates what is possible when regulators set clear timelines and bring transparency through one-stop shop portals.

But the work is not done. The FCC must establish strict shot clocks for federal and state reviews, ensure that right-of-way access fees accurately reflect actual costs rather than revenue opportunities, and streamline environmental and historic preservation reviews that often duplicate state processes. The Commission will consider items at its September meeting addressing precisely these issues. Additionally, the FCC must continue to improve the pole attachment process by clarifying cost allocation for pole replacements so that attachers are not burdened with disproportionate costs that deter investment. And the Commission's Office of Native Affairs and Policy should be fully engaged to provide technical assistance and mediate permitting challenges on Tribal lands, to better serve these communities.

Without these reforms, projects will continue to stall, costs will escalate, and communities will wait for networks that should already be in place.

State and Local Leadership: Broadband Ready, AI Ready

States and cities play a critical role in enabling the deployment of broadband and AI-supporting infrastructure. INCOMPAS has long supported local leadership, and we have worked

with mayors and state officials to promote best practices in permitting. We applaud states like Indiana, Wisconsin, and Tennessee, which have launched initiatives to certify communities that streamline the permitting process. These programs are a first step and demonstrate what is possible when local governments commit to deployment. But we need to go further. Broadband readiness must evolve into AI readiness, which means permitting not just for broadband, but also for the energy infrastructure and data centers that power AI workloads.

The challenge is that, with the anticipated surge in permit requests due to the flood of BEAD, Middle Mile Grant, and private sector funding, many local governments want to act quickly but may lack the resources and digital tools needed to process deployment requests swiftly. Paper files, unpredictable fees, and open-ended reviews can slow projects down, even when communities are eager for investment. Federal leadership is crucial to solving this issue. Congress and the NTIA should allow states to use BEAD non-deployment funds to help states and municipalities improve their permitting processes, including creating digital and AI-driven permitting portals, hiring trained staff, and establishing standardized timelines and cost-based fee structures. This approach aligns with the *Broadband Incentives for Communities Act*, introduced by Congresswoman Lizzie Fletcher.

Public-private collaboration is also essential. Working together, governments and providers can leverage AI and software solutions to identify and resolve bottlenecks in real time. By working hand in hand with state and local governments, we can create a permitting process that accelerates deployment, respects community priorities, and ensures every dollar delivers results. America's broadband future and the AI innovation it will enable depend on the infrastructure we build together today. Builders are ready. Permits should be, too.

Conclusion

The investments we unlock through smarter permitting fuel economic growth, strengthen national security, and secure America's technological edge. If we want to lead the world in broadband and AI, we must lead on deployment. Every Member of Congress represents communities that want better broadband, abundant energy, and the jobs that come with critical infrastructure investment. But our builders are stuck in line, waiting for approvals, paying excessive fees, and watching global competitors move faster.

We can fix this. The tools are available. The legislation considered today, as well as FCC and NTIA reforms, are smart, bipartisan steps forward. Let's take them and ensure that state and local governments have the capacity to keep up.

INCOMPAS members, including the creators, builders, and adopters of our digital and AI future, are committed to delivering the broadband infrastructure that America's economy and national security depend on. With the leadership of this Committee, and accelerated reforms at the federal, state, and local levels, we can ensure that our nation builds faster, competes harder, and leads globally in the technologies of the future. The bottom line? America can't afford to wait. We can either lead the world in deployment, or we can lead in excuses for why international competitors are moving faster in deploying emerging technologies.

INCOMPAS stands ready to work with Congress, the Administration, the FCC, state and local governments, and our industry partners to reform our permitting system so that it works for the economy, fosters innovation, and benefits every community in America.

Mr. HUDSON. Thank you.

Mr. Garner, you are recognized for 5 minutes for an opening statement.

STATEMENT OF DREW GARNER

Mr. GARNER. Thank you. Chairman Hudson, Chairman Guthrie, Ranking Member Matsui, Ranking Member Pallone, and members of the subcommittee, thank you for the opportunity to speak with you today.

The United States is about to make the largest investment in broadband in our Nation's history. This investment, the 42 billion Broadband Equity Access and Deployment Program, or BEAD, has the potential to drive high quality, affordable broadband to every last home and business throughout rural America. But BEAD's historic level of deployment will put historic pressure on permitting authorities, and this is especially true in rural areas where permitting capacity is lowest and BEAD activity will be highest. Such permitting bottlenecks are a fundamental threat to BEAD's success.

Fortunately, Congress gave BEAD the power to fix those bottlenecks. Congress did not restrict BEAD to simply buying spools of wire and satellite dishes. No, it mandated that BEAD fund initiatives to ensure networks are deployed on time and deliver maximum value to their communities. These nondeployment uses, which were written by bipartisan Members of Congress, give BEAD to the—give BEAD the ability to promote things like workforce development, AI, and, to the point of this hearing, permitting improvements. In fact, until recently, States were planning to use nondeployment funding to address many of the topics we will discuss today: surging staff capacity to local governments, streamlining and modernizing permitting processes, and increasing transparency and standardization.

But all of that ended on June 6, when the National Telecommunications and Information Administration, NTIA, fundamentally restructured BEAD. Before June 6, BEAD was poised to bring reliable, affordable, high-speed Internet service to millions of rural Americans. A handful of States were even ready to begin construction. But then NTIA's leadership hit the reset button. They created new rules to make BEAD prioritize cost cutting over everything else, and they gave States a mere 3 months to implement these changes—an impossible task, as time would show.

Suddenly faced with expensive prospects—with the expensive prospect of reengineering applications for a now unfavorable program, many ISPs dropped out. And now we are seeing the consequences. All 56 States and territories have discarded their original BEAD plans. Over 40 have submitted restructured plans, and none have been approved to begin construction. Preliminary results indicate that the mixture of technologies have shifted markedly away from fiber and towards low Earth orbit, LEO, satellite, with Kuiper and Starlink ranking first and second in terms of location won by a wide margin.

Yes, many locations will probably still get fiber, but the distribution is extraordinarily uneven across the country, with some States achieving over 90 percent and others under 10 percent. Such low

outcomes are devastating for rural communities. They know better than anyone that only fiber can guarantee their connectivity. Those who don't get fiber now may never get another chance. And as AI and other innovations demand more and more bandwidth, these communities will fall further and further behind.

BEAD also no longer addresses the primary cause of the digital divide, which is affordability. Thanks to the restructuring, a subscription that would have cost \$30 a month may now cost in excess of \$80 a month. If people can't afford to use these networks that their tax dollars are building, what was the point of building them?

Unfortunately, NTIA is about to restructure BEAD for a second time. The agency will soon roll out price caps that are designed to cut fiber from State plans, with all the precision of a lawn mower. NTIA's goal, seemingly, is to increase the amount of nondeployment funds available for them to claw back. That would mean no money for permitting improvements. The impact on States would be disastrous.

For example, in North Carolina the upcoming changes could drop the State from 68 percent fiber, 38 percent satellite, to nearly 50/50, and it would cut 1 billion—over 1 billion in nondeployment funds from the State budget. Other States would not fare much better. ISPs, including many small ones, would lose well over half of their funds.

NTIA's chief of staff recently said that BEAD is a deployment program, not a nondeployment program. That is wrong. It is wrong on the law and it is wrong on principle. BEAD is a connectivity program, and that is why bipartisan Members of Congress designed it to address all aspects of the digital divide. NTIA's misunderstanding of its own program not only threatens billions of dollars in nondeployment funding, it risks connectivity for millions of rural Americans who desperately need it.

Thank you, and I look forward to your questions.

[The prepared statement of Mr. Garner follows:]

**Written Statement of
Drew Garner
Director of Policy Engagement
Benton Institute for Broadband & Society**

**Before the House Committee on Energy & Commerce
Subcommittee on Communications & Technology**

**Washington, DC
September 18, 2025**

“Examining Solutions to Expedite Broadband Permitting.”

Chairman Hudson, Chairman Guthrie, Ranking Member Matsui, Ranking Member Pallone, and Members of the Subcommittee.

My name is Drew Garner, and I am the director of policy engagement at the Benton Institute for Broadband & Society.¹ We are an independent non-profit that, for over forty years, has provided research, information, and expert analysis on broadband and telecommunications issues. Our goal is to ensure that every person in the United States has access to affordable, reliable, high-performance broadband.

Thank you for the opportunity to speak with you today.

Navigating a Wave of BEAD Permits

The United States is poised to make the single largest federal investment in broadband in our nation’s history. This investment, the \$42.45 billion Broadband, Equity, Access, and Deployment Program, or BEAD, was designed to bring reliable, affordable, high-speed internet service to our most disconnected communities. And with that service, enable prosperity.

¹ The Benton Institute for Broadband & Society (Benton), a non-profit, operating foundation. These comments reflect the institutional view of the Benton Institute for Broadband & Society, and, unless obvious from the text, is not intended to reflect the views of its individual officers, directors, or advisors.

BEAD's historic investment will drive historic levels of broadband construction. And this will put enormous pressure on federal, state, and local permitting authorities. This is especially true in rural areas, where municipal capacity is typically low and BEAD activity will be high. Slow permitting can delay deployment and increase project costs; rushed permitting, however, creates risk to public safety and existing infrastructure.

How, then, can we build efficient, effective permitting systems that will maximize the impact of BEAD?

That was the question at the heart of a permitting summit I helped to convene last year.² Stakeholders of all stripes—local governments, ISPs, engineering firms, state and federal officials, civil society organizations—came together to understand each other's goals and find areas of consensus. We shared an interesting day, as you might imagine.

A key theme from the summit was a lack of resources. Many suggestions to expedite permitting were met with support—expanding staff capacity, ensuring predictable turnaround times, developing best practices, increasing standardization, promoting transparency, creating online portals, improving data utilization, and coordinating services to locate underground utilities. These solutions, however, are not free. The time, people, and tools to safely expedite permitting come with a cost.

Fortunately, BEAD has the ability to address this issue. Congress designed BEAD to holistically address the digital divide. That means more than simply running wires and building towers. Yes, BEAD will prioritize the deployment of networks to connect every unserved location in the country. However, BEAD can also fund activities that *facilitate* deployment and ensure BEAD

² Garner, Drew. "Permitting Success: Closing the Digital Divide Through Local Broadband Permitting" Wilmette, IL: Benton Institute for Broadband & Society, September 2024. benton.org/publications/permittingsuccess

networks see maximum uptake. This category of activities is known as “non-deployment,” and non-deployment activities are why BEAD has massive potential to improve permitting processes throughout the country.

Permitting is the Process; Connectivity is the Goal

Ultimately, we want to expedite permitting because we want to get more people online.

Permitting is the process; connectivity is the goal. While a good process will enable effective and efficient deployments, it is the resulting connectivity that improves lives. So, as we discuss permitting reform in advance of BEAD deployments, we should first consider the type of connectivity BEAD will actually deliver.

BEAD Pre-Restructuring

Earlier this year, BEAD was poised to bring reliable, affordable, high-speed internet service to nearly 5 million locations.³ Among the four states that had completed their plans, roughly 95% of locations would have been served by fiber-to-the-premise networks. The remaining locations—the hardest and most expensive to reach—would be served by wireless and low Earth orbit (LEO) satellite. A handful of states were even ready to begin construction. And many states were planning to use BEAD’s non-deployment funds to expedite permitting processes.^{4 5}

³ Karras, Alex and Michael Santorelli. “BEAD Eligible Locations Drop 14% in New Benefit of the Bargain Lists, a Combined 65% Drop Since Dec. 2022 BEAD Allocations” Advanced Communications Law & Policy Institute (August 14, 2025) <https://broadbandexpanded.com/posts/bofblocations>

⁴ Garner, Drew. “What’s Wrong with West Virginia’s BEAD Proposal?” (June 2, 2025) <https://www.benton.org/blog/whats-wrong-west-virginias-bead-proposal>

⁵ Varn, Jake “States Work to Address Barriers to Broadband Expansion” (April 3, 2024) <https://www.pew.org/en/research-and-analysis/articles/2024/04/03/states-work-to-address-barriers-to-broadband-expansion>

In June, the National Telecommunications and Information Administration (NTIA) hit the reset button. In its BEAD Restructuring Notice,⁶ NTIA required states to rerun their bidding processes using new rules that prioritized cost-cutting over internet service quality and affordability. States were given three months to comply (a timeline that has since proven unworkable for many⁷) and ISPs had just weeks to revise and resubmit applications, an expensive process that led a sizable number to drop out.⁸ For example, Arkansas saw a 25% reduction in applicants, and, in Minnesota, dropped applications left twenty thousand locations with no bids.⁹

BEAD Post-Restructuring

As of today, all 56 states and territories have discarded their original BEAD plans. Over forty have submitted restructured plans. None have been approved to begin construction. Preliminary results indicate that the mixture of technologies has shifted away from fiber and toward LEO satellite, with Amazon's Kuiper and SpaceX's Starlink ranking first and second in terms of locations won. While, on average, fiber remains the dominant technology, the variance between states is substantial, with some achieving over 90% fiber and others under 10% (these numbers are likely to drop as NTIA takes additional steps to cut fiber even further).

This shift away from fiber is troubling for three reasons:

⁶ National Telecommunications and Information Administration. "Broadband Equity, Access, and Deployment (BEAD) Program: BEAD Restructuring Policy Notice" (June 6, 2025)

<https://www.ntia.gov/sites/default/files/2025-06/bead-restructuring-policy-notice.pdf>

⁷ 36 out of 56 states and territories failed to meet the September 4th 2025 deadline, per NTIA's [dashboard](#) [viewed September 15th, 2025].

⁸ Marx, Cameron. "29% of Minnesota Locations Received No Bids For BEAD" (August 5, 2025)

<https://broadbandbreakfast.com/29-of-minnesota-locations-received-no-bids-for-bead/>

Marx, Cameron. "Arkansas Experiences 25% Decline in Applicants for BEAD Funding." (August 5, 2025)

<https://broadbandbreakfast.com/arkansas-experiences-25-decline-in-applicants-for-bead-funding/>

⁹ Sohn, Gigi "From Crumbs to Connections: Minnesota's Broadband Future" (September 10, 2025)

<https://www.benton.org/blog/crumbs-connections-minnesota%E2%80%99s-broadband-future>

1. **Fiber reliably delivers high-performance, affordable connectivity; LEO networks do not.** A well-designed fiber network will provide high-performance, affordable service for decades,¹⁰ no matter the location or bandwidth required. A LEO network, by contrast, cannot guarantee service to locations that are forested, mountainous, populous, or have inclement weather.¹¹ A LEO network can struggle to meet high bandwidth requirements today, much less those of the future.¹² And subscription costs for LEO service are typically higher than those for fiber service.
2. **Fiber networks are an asset to their community; LEO networks are not.** Fiber networks are physically located within the communities they serve. Construction of these networks creates local jobs; network operation can generate local revenue. The ISP must engage with the local government, and if the provider leaves, the network will remain. LEO networks lack these qualities because their core infrastructure is in space, and satellites require regular replacement.
3. **Fiber drives economic growth and AI; LEO networks do not.** Communities with fiber are more likely to experience economic growth, entrepreneurship,¹³ and increased property values¹⁴ compared to communities served by different technologies. And only

¹⁰ Afflerbach, Andrew. "Fixed Wireless Technologies and Their Suitability for Broadband Delivery" (June 2022) <https://www.benton.org/sites/default/files/FixedWireless.pdf>

¹¹ Luening, J Randolph "LEO Satellites: ready for prime time" (March 29, 2025) https://cdn.shopify.com/s/files/1/0363/0392/9388/files/LEO_Satellite_Whitepaper.pdf?v=1743297202

Meinrath, Sascha, Karl Grindal, Glenn Fishbine, Nancy DeGidio. "Starlink Capacity Analysis v0.2" (July 18, 2025) https://thexlab.org/wp-content/uploads/2025/07/Starlink_Analysis_Working_Paper_v0.2-1.pdf

Ullah, Muhammad Asad, Antti Heikkinen, Mikko Uitto, Antti Anttonen, Konstantin Mikhaylov. "Impact of Weather on Satellite Communication: Evaluating Starlink Resilience" (May 2025) <https://arxiv.org/html/2505.04772v1>

¹² Marek, Sue. "Starlink's U.S. Performance is on the Rise. Making it a Viable Broadband Option in Some States" Ookla (June 10, 2025) <https://www.ookla.com/articles/starlink-us-performance-2025>

¹³ Weinstein, Amanda, May Erouart, and Adam Dewbury. "Beyond Connectivity: The Role of Broadband in Rural Economic Growth and Resilience" Center for Rural Innovation (September 30, 2024)

<https://ruralinnovation.us/resources/reports/report-the-role-of-broadband-in-rural-economic-growth-and-resilience/>

¹⁴ Sanyal, Paroma, Coleman Bazelon, Yong Paek, and Dan Beemon. "Economic Benefits of Fiber Deployment" The Brattle Group (November 20, 2024)

<https://www.brattle.com/wp-content/uploads/2024/11/Economic-Benefits-of-Fiber-Deployment.pdf>

fiber can guarantee the bandwidth, latency, and symmetrical speeds needed to reliably move the massive amounts of data necessary for AI's real-time decision-making. BEAD is the best and potentially last chance many communities will have for fiber, so those that miss out will fall behind as innovative technologies demand increasing amounts of bandwidth.

Affordability

Separate from shifts in technology, the restructured BEAD Program no longer addresses the primary cause of the digital divide—Americans' inability to afford internet service.^{15 16 17 18} In BEAD's original form, ISPs competed for awards by committing to offer the most affordable service, and winning ISPs would provide a plan specifically tailored for low-income households. These provisions, which would help Americans afford the networks their tax dollars built, were eliminated in BEAD's restructuring. Now, some low-income Americans will end up paying \$80/month, if not more, for service that previously would have cost \$30/month.¹⁹

Non-Deployment Funds

For a variety of reasons—fewer eligible locations, increased reliance on satellite, reduced project scope—states are on track to use roughly half of their BEAD allocations on infrastructure

¹⁵ John B. Horrigan, PhD, and Everyone On: Affordability and the Digital Divide (2021) <https://static1.squarespace.com/static/5aa8af1fc3c16a54bcb04151/61ad7722dc56262d89e76e94/1638758180025/EveryoneOn+Report+on+Affordability+%26+the+Digital+Divide+2021.pdf>

¹⁶ Wert, Kelly. "Every State Identifies Broadband Affordability as Primary Barrier to Closing Digital Divide" Pew Charitable Trusts (October 4, 2024) <https://www.pew.org/en/research-and-analysis/articles/2024/10/04/every-state-identifies-broadband-affordability-as-primary-barrier-to-closing-digital-divide>

¹⁷ Consumer Reports Research Department "Broadband Survey: A Nationally Representative Multi-Mode Survey" (July 2021) https://advocacy.consumerreports.org/wp-content/uploads/2021/08/CR_Broadband-Survey_8_2021_VF.pdf

¹⁸ John B. Horrigan, "Leaving Money on the Table: The ACP's Expiration Means Billions in Lost Savings" (July 2024) <https://www.benton.org/sites/default/files/ACP-survey1.pdf>

¹⁹ Varn, Jake "The Affordability of BEAD: Low-Cost Options in Every State" (November 19, 2024) <https://www.linkedin.com/pulse/affordability-bead-low-cost-options-every-state-jake-varn-nyye/>.

deployment. This means that many states will have hundreds of millions of dollars available for “non-deployment” activities. Statute defines non-deployment activities to include things like wiring apartment buildings, promoting broadband adoption, and, critically, “any use determined necessary by the Assistant Secretary to facilitate the goals of the Program.”²⁰ Under BEAD’s original rules, those uses included permitting initiatives.

Prior to the June Restructuring Notice, states planned to use non-deployment funds to increase permitting staff, develop best practices, streamline pole attachments, convene coordinating committees, and increase the capacity of services to locate underground utilities. However, in the June 6 notice, NTIA paused these plans, indicating that new guidance would be forthcoming. That guidance has still not been produced.

BEAD: Looking Forward

NTIA is poised to restructure BEAD yet again. In the coming weeks, the agency will begin forcing states to rebid projects that exceed certain cost thresholds. This change would shift many additional locations to satellite and, for a second time, invalidate ISP applications.

Further, NTIA appears inclined to claw back non-deployment funds—even though the Infrastructure Investment and Jobs Act does not allow for that. Clawing back these funds would cut state BEAD budgets by, on average, over \$350 million, gutting the potential for permitting improvements or other initiatives for telehealth, workforce development, and broadband adoption.

²⁰ IJA 60102 (f)(6)

While NTIA has not publicly released new guidance, recent reporting²¹ and public data²² make it possible to estimate the impact of these upcoming changes. By way of example, if NTIA proceeds as expected, North Carolina would be forced to disrupt seventy-seven projects and put over 15,000 locations up for rebid. LEO providers would likely win the rebidding round, and this would shift the state's technology ratio from 68% fiber, 30% satellite, to nearly 50/50. One in three ISPs would lose over half their funding, and at least \$100 million would be cut from the state's deployment plan. The funding from these cut projects would be added to North Carolina's current \$1 billion non-deployment budget, increasing the amount vulnerable to clawbacks.

Conclusion

Secretary of Commerce Howard Lutnick has promised to get BEAD funding out the door quickly. Over 40 state plans currently await NTIA's approval. Rather than launch an additional round of changes to BEAD, Secretary Lutnick should approve these plans swiftly and get shovels in the ground. At this point, it is not permitting that is slowing BEAD down; it is NTIA.

Furthermore, NTIA should fulfill its commitment to release non-deployment guidance that is consistent with Congress's intention in establishing BEAD. Such guidance would allow states to increase permitting capacity in time for BEAD's upcoming wave of construction.

Together, these actions would not only expedite BEAD, they would expedite the permitting processes that will pave our way to universal broadband.

²¹ Neenan, Jake. "How NTIA is Asking States to Revise BEAD Plans" (September 12, 2025) <https://broadbandbreakfast.com/how-ntia-is-asking-states-to-revise-bead-plans/>

²² North Carolina BEAD Final Proposal Data Uploads <https://www.ncbroadband.gov/BEADFinalProposal> (downloaded September 15, 2025)

Mr. HUDSON. I thank the gentleman. We will now begin questioning, and I recognize myself for the first 5 minutes.

Mr. Spalter, many of your members are helping close the digital divide. What is the risk of their efforts and programs like BEAD if we don't address permitting delays?

Mr. SPALTER. It would be catastrophic. We are focused entirely on deployment as efficiently and quickly as possible. But the other side of the coin is we are not going to be able to do that without certainty, clarity, speed, and efficiency in how we are doing permitting reform. We need to move now. The only person—the only people that will actually suffer if we don't are your constituents.

Mr. HUDSON. Thank you for that. Have your members faced more permitting challenges from State and local, the State and local level, or more at the Federal level?

Mr. SPALTER. We face challenges on both sides, both federally and at the State and local level. We want to be able to deliver fiber broadband as broadly and as widely as possible, and we think that there are solution sets that will allow us to do so. We are looking forward to working both with State and local partners but also to deal with Federal land permitting to ensure that we can achieve our goals of a fully connected nation.

Mr. HUDSON. Thank you.

Mr. Halley, the Federal Communications Commission uses its authority to streamline the State and local permitting process by implementing shot clocks, capping fees. Have these rules helped expedite infrastructure development?

Mr. HALLEY. Yes, they significantly helped expedite infrastructure deployment.

The thing I think is really important also to recognize is what the FCC has done over, really, over the last decade, is implement legislation passed by Congress through the adoption of multiple bipartisan orders at the FCC.

And they have done exactly what you have said. They have said, "Let's treat projects that are modifying an existing structure different than treating a project that is brand new." That is logical, right? It makes sense. It said, "Let's have fees that are proportionate to the type of project that it is, and that everything about it is a transparent process." And when you do that, you end up with a country that has some of the best wireless networks in the entire world.

Mr. HUDSON. And why is it necessary for Congress to codify these rules?

Mr. HALLEY. Only Congress can speak with one—with a voice that creates one strong national law. The FCC adopts rules, and those rules have been extremely helpful. However, like a lot of the things that the FCC does, they are sometimes challenged, right, at the local level, and you end up with, unfortunately, a process where—for the vast majority of us luckily it is working, and we are deploying wireless connectivity faster than we ever have, but there are still instances where in some communities those rules aren't followed, and that ends up with litigation.

And I think we would be a lot better off if we spent a lot more time deploying broadband connectivity based on a strong national

law that you pass than debating what the rules are in Federal courts across the country.

Mr. HUDSON. I agree with that. Are there areas where Congress should go farther than what the FCC has already enacted?

Mr. HALLEY. Well, I think one thing you can do is really focus on Federal lands. Mr. Spalter said we have problems at the local level and on Federal. That is true for wireless as well.

For example, GAO issued a report—it was last year—and it said that roughly half of the applications that are being filed for permits on Federal lands are not meeting the deadline that you set of 270 days. Mind you, that is 9 months to review applications for deployment on Federal lands.

And perhaps even more troubling is the fact that there is a significant amount of applications where they actually didn't know when they had been filed, so they couldn't track them at all. And that is why I think—something that Congress can really focus on in a helpful way, and I am pleased to see several bills do that.

Mr. HUDSON. Thank you.

Ms. PIES, a number of States have enacted legislation addressing broadband deployment through rail crossings. What impact have those laws had on deployment?

And what best practices can we take from those laws?

Ms. PIES. [Inaudible.]

Mr. HUDSON. Mic, yes.

Ms. PIES. Technology.

Mr. HUDSON. Yes.

[Laughter.]

Ms. PIES. I appreciate that question because railroad crossings are one of the biggest barriers to deployment, especially in rural areas of the country. When we have providers who have to cross railways, they end up—the deployment process ends up lasting an additional year to two years beyond what it would take just to deploy the technology. So it is creating a new divide. We have got providers who are deciding they are not going to deploy if they have to cross the railway, because the additional cost and the additional time involved creates a barrier that is unsolvable.

Mr. HUDSON. Well, have we seen any of the State laws help in this process?

Ms. PIES. Yes, and actually the RAIL Act is modeled on some of those State laws. We have laws in Virginia and Minnesota and Illinois. Some of them passed many years ago that have created progress.

And just like Patrick discussed the need for congressional action, having one unified process that enables both the railways and the broadband providers to know exactly what they are working with, what the timeframes are, to ensure that costs are actual and reasonable costs, and to ensure that safety standards are followed is really critical nationwide.

Mr. HUDSON. Thank you for that.

My time has expired, so I will now recognize the ranking member of the committee for 5 minutes for your questions.

Ms. MATSUI. Thank you, Mr. Chairman. You know, we know the BEAD program is the single largest Federal broadband investment in American history, dedicating over \$42 billion to connect every

home and business in America. We are all excited about that. But just when States think they can move forward, this administration shifts the goalposts, first by freezing funding and then by recklessly rewriting the rules, and now by threatening arbitrary price caps that gut broadband quality for our most vulnerable communities.

Mr. Garner, you have been working on this a long time. How would this administration's BEAD changes impact our ability to connect every American to reliable, affordable broadband?

And how much more changes can we take? Can we complete this thing?

Mr. GARNER. Thank you for the question.

So the changes NTIA has already made will make it so that BEAD cannot reach every unserved American in the country. They have instituted a new criteria by which locations that are too expensive just simply are no longer eligible for BEAD. So by definition, it will not serve everyone.

But of the people it does serve now, on average they will get more expensive service that is slower and less reliable, and fewer people are going to get it. The investments they are making are not going to pay off over the long term. They are not going to be as reliable for generating the economic development that we sort of expected to see from the original BEAD program.

Ms. MATSUI. Oh, that is very disappointing since we are all excited about connecting every American.

Now, broadband infrastructure means nothing if people can't afford to use it even, or lack the skills to do so. That is why President Trump's illegal axing of digital equity grants, including \$70 million for my own State, is so devastating. He is ripping away funding meant to help workers learn digital skills, seniors avoid scams, and families use telehealth and other cost-saving tools.

Mr. Garner, how does this affect the communities that need help the most and the local organizations that are counting on the funding to serve them?

Mr. GARNER. So by cutting the Digital Equity Act, in addition to a host of other changes to the BEAD program and the loss of the ACP, this means that we are going to get less return on our investment from the BEAD program. The people are not going to be able to use the networks nearly as effectively as we wanted.

And additionally, when we bring internet to many of these communities for the first time, we are bringing both the best the internet has to offer but also a lot of the worst, the scams and all the dangers that can happen. So without the digital equity money to help people be safe online, we are creating, inadvertently, additional risks.

Ms. MATSUI. It sounds worse and worse here.

Now, I am disappointed that this hearing is being used to push partisan proposals that gut environmental protections and override local authorities rather than focusing on practical solutions to real problems. Where permitting can be improved, Democrats are ready to work on bipartisan solutions. That is why I colead the Digital Applications Act with Congresswoman Cammack. This bill fixes a major barrier for broadband deployment, inconsistent permitting

timelines, and paperwork access Federal agencies—across Federal agencies.

Mr. Halley, would you explain how a digital standardized permitting portal could reduce administrative burdens and speed deployment?

Mr. HALLEY. I think we should be focused on digital tools and not focus our energy on paper applications anymore, and that is why your bill is so important.

One of the most important things we can do is just make the process as easy as possible for those who are on the receiving end of a lot of permits. And so we are very supportive of your legislation that would require the adoption and use of online portals and digital tools to expedite the process.

Ms. MATSUI. OK. Now, a smart broadband strategy doesn't mean throwing billions at the cheapest technology, especially if it means abandoning affordability and capacity to adapt to future connectivity needs.

Mr. Spalter, what are the long-term tradeoffs if States lose flexibility to direct BEAD funding to the best mix of technologies?

How does this impact upkeep, performances, and consumer affordability?

Mr. SPALTER. Thank you, Congresswoman Matsui, for that question.

And we are going to continue to work in close coordination with our colleagues at NTIA to ensure that we can actually have the best results and the most positive results for your constituents and all constituents around the country with the BEAD dollars that are going to be deployed.

We are also encouraged, Congresswoman, that they have committed to making sure that those dollars are actually sent to the States by the end of the year. We are ready. Our schools are in the fields, in the warehouses. Our linemen, our technicians, our workforce are raring to go, are ready to go. But that is just part of the solution set. We need them to go—to do the hard work of ensuring that it will not be persistent problems in delays because of permitting that are going to challenge us from actually getting over the finish line of getting those dollars.

Ms. MATSUI. Certainly. And I just have to say, though, that I have been very disappointed in the fact that the delays that we have expediting broadband itself is really difficult for me to bear because I—we were really hopeful about this.

So I yield back.

Mr. HUDSON. I thank the gentlelady. I now recognize the vice chair of the subcommittee, the gentleman from Georgia, for 5 minutes to ask your questions.

Mr. ALLEN. Thank you, Mr. Chairman. And again, I thank the witnesses for being here.

You know, my entire tenure in Congress it has been a top priority of mine to expand broadband access throughout rural America and, in particular, the rural Georgia and the 12th District of Georgia. It is frustrating, though, that no matter how many billions—and this is typical of so many things—how many billions of dollars we appropriate towards this mission, it remains incomplete.

Now, I think we need to correct the record a little bit on some conversation. The Biden-Harris administration had 3 years to run BEAD, and only three States submitted final proposals at that time. In the 3 months since the Trump administration reformed BEAD, 36 States have submitted final approvals.

I am also concerned that the fees that some State and local governments charge for processing applications and using space in public right-of-ways will only increase the cost of deployment and make it hard to provide service to those who need it.

Mr. Spalter and Mr. Halley, could you describe typical application fees associated with building broadband infrastructure at the State and local level?

Mr. SPALTER. I would be happy to. We find in many instances that State and local municipalities use access fees for permitting not necessarily to meet costs but essentially as a revenue center, as a profit center, as a mechanism to actually accelerate their own revenue needs.

We need to make sure that to the extent that we are providing fees for such permits, that they are calibrated to exactly what kind of costs are——

Mr. ALLEN. Is there a lot of variance in what you see in these fees across the country?

Mr. SPALTER. It is a hodgepodge of fees. They can be extremely excessive in certain circumstances. In Oregon, for example, we find that there are localities that are charging literally hundreds of dollars for fees that should be significantly less. It really depends on the locality.

The diversity of mechanisms in which we actually have to apply for those permits is extremely variable. We still are talking about using hardcopy and triplicate on nonstandard page sizes, in addition to often exorbitant fees that are unmoored from the actual costs that should be associated with fees.

We need to be able to address these in a more efficient way, and we are so glad that your work, Congressman Allen, and this committee's work is driving us towards that.

Mr. ALLEN. Thank you.

Mr. Halley?

Mr. HALLEY. Yes. On the wireless side, one of the things that the FCC has taken a look at is making sure that fees for applications for collocation on existing infrastructure or new builds are cost-based, and that is a fairness issue, right? And it is about making sure that there are funds being raised to cover the costs that local governments do have—and they do—to administer their programs. But those fees should be directly related to the cost of actually running the program, not just to generate revenue and treating the process as a revenue generation opportunity.

And what the FCC has done is it looked at what is the average cost of these fees——

Mr. ALLEN. Yes.

Mr. HALLEY [continuing]. And determined what is reasonable. And you see some communities where it is 5, 10X——

Mr. ALLEN. Yes.

Mr. HALLEY [continuing]. What the rest of the local governments are charging, and that is the problem.

Mr. ALLEN. Right, I understand. Given these fees, I worry that we will not be maximizing the money we have dedicated for broadband deployment. This money needs to go towards building these new networks, not helping local governments. This is especially true for the 42 billion that has been dedicated to the BEAD program. That is why I introduced the BEAD FEE Act, which will improve transparency in the BEAD program, allowing accountability for application fees.

Mr. Spalter, you mentioned in your testimony that China is eager to see American bureaucracy slow us down. How does streamlining broadband permitting help us to stay ahead of global competitors?

Mr. SPALTER. It tries to even the playing field. Let's be clear about what is going on today in the world.

In China in 2025, it is expected that there will be \$100 billion of CapEx invested. Fifty percent of that is coming through an industrial policy by the Chinese Government. That is about \$50 billion. That is significantly more than we are spending here in the United States.

They are actively moving forward on a national effort, connectivity effort, called the Eastern Data and Western Computing Project. It is a multibillion-dollar effort to make sure that there is connectivity between data centers.

Unless and until we have the guile and the focus to be able to move aggressively to streamline and make more logical our own permitting systems so that we can truncate the time from application to approval, we are going to fall behind in the AI race—

Mr. ALLEN. OK.

Mr. SPALTER [continuing]. And we can't let that happen.

Mr. ALLEN. Right. Well, I am out of time. The other witnesses, if you would like to comment on that for the record, please submit that for me.

And with that, Mr. Chairman, I yield back.

Mr. HUDSON. I thank the gentleman. The Chair now recognizes the gentleman from Florida, Mr. Soto, for 5 minutes to ask your questions.

Mr. SOTO. Thank you, Chairman.

Colbert canceled. Kimmel canceled. Attack on the First Amendment pushed by President Trump and backed by FCC Chair Carr. It is an extortion to attack broadcasters, licenses, and mergers, and more just for speech you don't like.

Imagine if the shoe was on the other foot. Imagine Biden blocking a recent Fox News Sports—Fox Sports sale until Sean Hannity and Jesse Watters were taken off the air for statements he found offensive.

For these issues and more, Chairman, I ask and renew the call of our ranking member that we have an FCC oversight hearing. It has been quite a while since we have had one.

Now turning to the matter at hand, there was a vision—high-speed Internet for all Americans—and a tale of two laws. The American Rescue Plan passed in March of 2021. It was in February 2023 then-Governor DeSantis announces 7.6 million in rural broadband. It gets deployed in central Florida in areas of my dis-

tract like Kenansville, Deer Park, Bull Creek, and Yeehaw Junction—which is a place.

[Laughter.]

Mr. SOTO. We all have those.

The Infrastructure Law passed in a bipartisan way November 2021. June 2023, allocations announced. End of 2024, all States' plans are approved.

It has been an 8-month delay. Why? Because President Trump stopped the program. And then adding tariffs and mass deportations hasn't hurt either. Five point eight million Americans are still waiting, including many folks in rural areas of Florida.

Permitting reform is part of the solution, so this is an important topic. But so are some of these other issues that we are talking through.

Mr. Spalter, how has tariffs affected broadband lately?

How has that increased the costs? Are we going to just get less bang for the buck with the money we are spending now because of the tariffs?

Mr. SPALTER. At the moment we are evaluating closely to the extent our supply chains are impacted by potential impacts from tariffs.

But I will tell you that all of our broadband providers, all of our members, have already prepositioned their infrastructure, their human capacity, and are ready to go to deploy as quickly and aggressively as possible, given current circumstances. And we are going to continue to work with our partners both at the State and local level, but also across the administration, to ensure that we can allow them to do their work as aggressively as possible.

Mr. SOTO. Where do you think the balance is with local governments?

You know, I know there is constantly attention as we are going through. I have a bunch of little towns in my area, and counties. They want some say in it, but we have to make sure we can deploy this. What do you think that balance is to make sure we could get the—this broadband out the door?

Mr. SPALTER. To the extent that you are referencing the balance of local officials in the discussion of permitting—

Mr. SOTO. Sure.

Mr. SPALTER [continuing]. I think, of course, our State, local, and municipalities have to have a clear and—a voice. Local expertise is extraordinarily important.

And I think our overall goal has to be collectively never to lower our standards when it comes to permit review. It is simply to see if there are ways that we can create solutions, for example, through the Digital Applications Act, through making sure that we have national baseline standards, deduplication where previously analyzed, approved, and/or existing approvals can lead us to speedier approval so we don't have to actually endure more costs not only for members but for broadband providers, but also for constituents.

Mr. SOTO. Thank you.

Mr. Halley, where do you think primaries are that cellular service can help with high-speed internet? I know there is some effort to be part of that solution. Where do you think the primaries are in America for those efforts?

Mr. HALLEY. In terms of the benefits of wireless?

Mr. SOTO. In terms of providing high-speed internet.

Mr. HALLEY. Well, I think the wireless connectivity is literally at the—is a central element of pretty much every aspect of our economy right now. I said in my testimony 13 million homes right now are getting access to broadband at their home, providing speeds of several hundred megabits per second. These are many homes who never had broadband before.

And we think that the trajectory, the potential path for that, to fix wireless home broadband to continue, is somewhere near 30 million homes. We are seeing broadband speeds on the download side now of, you know, on average, 150, 200 megabits per second. In some urban areas, myself, I have been able to use my cell phone on a mobile device and get over a gigabit per second down.

There is unlimited opportunity associated with networks that are delivering that kind of connectivity.

Mr. SOTO. And we get that, and we are going to use various technologies, but it has got to be high speed. We launched Starlink from central Florida, too, so we look at all these different areas. But we need to get this program out the door.

Thanks, and I yield back.

Mr. HUDSON. I thank the Representative of Yeehaw, Florida.

[Laughter.]

Mr. HUDSON. Yeehaw Junction, Florida. Excellent questions.

I now recognize the former chairman of the subcommittee, the gentleman from Ohio, Mr. Latta, for 5 minutes for your questions.

Mr. Latta. Well, thanks, Mr. Chairman, and this is a very important hearing, and thanks for having it. Thanks for our witnesses for being here today.

But just to verify once again, on November the 15th, 2021, BEAD was signed into law. That is over 3 years and 10 months from now.

I have worked on a lot of different legislation when it comes to communications and technology in this subcommittee, and I also worked to make sure we had accurate broadband maps because we have to have the right maps to know where we have to deploy and where that money needs to be spent. But one of the things I know that when we were working—or initially we were talking about BEAD was this: I said, “Don’t pick winners and losers.” Don’t pick winners and losers. The Federal Government does a terrible job of picking winners and losers, because—and I usually say this: When they are going to pick a winner and a loser, we are all going to lose. So I think it is important we remember that, that—what happens when the Federal Government does things like that.

Mr. Spalter, if I could just start with some questions with you. You spoke of, you know, the permitting delays, the duplication, the timelines. And one of the things I would like to ask is, What happens to your workforce when you can’t put people out there to start deploying? What is your workforce doing at that time?

Mr. SPALTER. They can actually be either redundant or, literally, waiting around for green lights to be able to deploy. And it is not just human capacity, but it is also infrastructure capacity. And that actually creates costs not only for broadband providers, it has potential job impacts. It also creates challenges in terms of economic productivity for the communities that we are meant to serve. Every

day constituents in your community don't get broadband access creates economic challenges for that household.

Mr. LATTA. Well, let me ask this, because you bring up an interesting point: Is \$42.8 billion the same worth as it was in November of 2021 as it is today?

Mr. SPALTER. It is—

Mr. LATTA. It sounds like a lot of money, but, you know, we know that inflation and everything else, that amount has actually decreased, so costs go up. And so that \$42.8 billion does not—is not the same value that we had at that time.

So I—

Mr. SPALTER. That is it.

Mr. LATTA. You know, I think—especially listening to your testimony, it makes me think about that, you know, time is money.

Mr. Halley, if I could ask a couple of questions. You know, when you were talking about the delays out there, you know, on the Federal Government—on going across Federal lands, that 270 days that they are supposed to be getting something done, if the Federal Government agencies, departments don't come up and get something done, what is—what are the consequences that they face?

Mr. HALLEY. Well, I think we have to think about what happens on Federal lands, right? We all enjoy our beautiful national parks. People's lives are at risk when they don't have connectivity. Lives get saved when they do have connectivity.

I actually just learned yesterday that the GW Parkway and the BW Parkway are on Federal lands. I didn't know that, but it sure is important to me that we have good connectivity on the roads that consumers are using as they travel across Federal lands.

There are workers on Federal lands, whether it is energy projects or people who are working at those parks. That connectivity is important.

And the other thing is there are a lot of homes that are adjacent to Federal lands, and so making sure that we have connectivity and that the Federal lands are part of that solution is really important.

I was actually at a meeting earlier this week with an executive at a tower company, and he was telling me about the towers they had built on a national park in the middle of the country. And what they are doing now, the park rangers, when people go in to hike to certain parts of the park, they give them a device and it tracks where they are. It only works because there is cellular connectivity now so that they can see where they are. And instead of having to send a helicopter every single time somebody doesn't come back from that hike, they know exactly where they are. They can go rescue them without having to pay for that helicopter. I said, how long did that take? He goes, it was an 11-year project.

Mr. LATTA. Yes.

Mr. HALLEY. That is not acceptable.

Mr. LATTA. Yes, that is—

Mr. HALLEY. You can see the types of benefits you get, right.

Mr. LATTA. Yes, and that is not acceptable because, again, you brought something else up, and I will just restate real quick because I know this has happened.

During COVID, when costs were going up and people were getting less service in Europe, what we were doing here in the United States from our companies was that we were giving more services out there at a lesser amount. So actually, things—you all did more because you invested in your networks—everybody did—in the industry. So I think that is important for the future success.

And just—I know in my last 28 seconds—sorry about this, Mr. Chairman—with a question about INCOMPAS, you know, when you are talking about the delays out there, you know, you get fewer people connected and—but what does that do to schools, telehealth, and businesses out there, and people just wanting to stay connected with loved ones?

And I have only got about 8 seconds left.

[Laughter.]

Ms. PIES. We have heard about the dramatic impact of a lack of connectivity for consumers and for businesses from our other witnesses. I really appreciate the fact that you highlighted schools and rural healthcare, hospitals, because the connectivity in many ways is even more critical.

And our funds today, whether they are coming from the Federal Government or they are private-sector investments, which—a lot of our companies do not take Federal funding, they invest their own money—need to be able to get through the permitting process so that we have schoolchildren who are connected, so that we have—I will brag—my son, who is going to be a doctor in a few years—can he participate in telehealth programs? Without the connectivity, those people who are beneficiaries of those programs will not have that.

Mr. LATTA. Well, thank you very much.

Mr. Chairman, I am sorry, my time overran and my time has expired, and I will yield back. Thank you very much.

Mr. HUDSON. I thank the gentleman. The Chair now recognizes the gentlelady from New York, Ms. Clarke, for 5 minutes to ask your questions.

Ms. CLARKE. Good afternoon, and thank you, Chairman Hudson. I thank our Chairman Guthrie in absentia, to our ranking member in absentia, and certainly to our Ranking Member Matsui of this subcommittee for holding this very important hearing. And thank you to our esteemed panel of witnesses for joining us today.

Access to reliable, high-speed internet is essential in increasing a digital—an increasingly digital society, and I am proud of the work Democrats on this committee have done to bridge the digital divide in America. However, we continue to face obstacles in the deployment of broadband services that could help millions of Americans in underserved areas.

This past June, the National Telecommunications and Information Administration restructured the BEAD program, causing more delays in the construction of reliable communications infrastructure. These delays make taxpayers wait longer and settle for less reliable and more costly internet services. This is not the goal of our \$42 billion investment in the BEAD program. We want to increase access to high-speed internet, not prevent it.

I look forward to working with my colleagues on this committee to explore pathways to equitably streamline these permitting proc-

esses, bridge the digital divide, and unleash the full potential of our Nation. My first question is to Mr. Garner.

Mr. Garner, as this committee looks at efforts to streamline broadband deployment, what factors should we consider to ensure that low-income and minority communities who have been subjected to both traditional and digital redlining in the past do not continue to be left behind?

And other witnesses, you can chime in where you feel necessary. Thank you.

Mr. GARNER. Yes, so broadband is definitely not just a rural issue. Permitting reform, by lowering barriers to entry, can increase competition and it can also give cities a way to sort of say we need to serve these areas, so you can't leave these areas behind, you have to rectify some of the wrongs of the past, and you need to make sure that these projects meet our needs.

Also I would say that BEAD, in its nondeployment funding, by law allows some of that funding to wire apartment buildings or to provide public WiFi or to do broadband adoption, all efforts that will address that urban or digitally redlined community.

Ms. CLARKE. Let me then extend this question to you, Mr. Garner. In your testimony, you stated that NTIA's restructuring requirements are leading to a shift away from fiber. I would like to dig into that topic a bit more.

Can you explain to this committee the negative impacts of shifting away from fiber and how they could perpetuate the digital divide? How that could, excuse me.

Mr. GARNER. Yes. So shifting away from fiber is similar from shifting from paved roads to dirt roads. We are—dirt roads may be cheaper, but you are going to do a whole lot less economic development, healthcare. You are not going to grow a modern economy with dirt roads, and the same is true for fiber.

So as we lose fiber, the areas that lose it are going to lose all the economic benefits that it drives: the entrepreneurship, the increased investment, the government efficiency. For example, FEMA now requires you to get online, have an email address, and work through these portals, use your digital skills to be able to access government benefits. That saves the government money, and it ensures people can use their programs too.

So it is going to be a very big blow for the communities that miss out on this arguably last, best chance they will ever have at getting the infrastructure of the future.

Ms. CLARKE. And in terms of just sort of the efficiencies, I think that one of the concerns is that, you know, we know that fiber optics, you know, can withstand far more traffic than any other sort of infrastructure.

Would you give a little bit more detail on why fiber is such a game changer, if you will?

Mr. GARNER. Yes, it is bandwidth capacity. It can handle anything you throw at it. Whatever that comes in the future, whatever you need today, it will be a guaranteed connectivity.

But also it is—once you get it to the household, it is guaranteed to work, and it is going to work for 50 years. All their services, while they have their roles, they cannot give that guarantee. If you live on a hill, if you live in mountains, if you live near trees, if you

are in a somewhat densely populated area, a lot of these other systems like satellite just simply will not reliably give you broadband service.

Ms. CLARKE. Very well. Thank you very much, Mr. Chairman, I yield back.

Mr. HUDSON. I thank the gentlelady. I now recognize the gentleman from Virginia, Mr. Griffith, for 5 minutes to ask your questions.

Mr. GRIFFITH. Thank you, Mr. Chairman. I would like to start by asking for unanimous consent to insert several letters into the record.

We have heard some discussion today, Mr. Chairman, about business decisions being made and allegations that political influence was used in—some how and some way in those business decisions, and so I would like to submit a letter of March 1, 2023, from Charles Schumer, then-majority leader of the United States Senate, and Minority Leader Hakeem Jeffries of the United States House of Representatives, disagreeing with Fox News.

And a letter dated February 22, 2021, signed by Member Congresswoman Eshoo and Member Congressman Jerry McNerney, where they ask questions of 12 different companies that provide TV networks to local homes. And in one of the questions they specifically asked: Are you planning to continue carrying Fox News, Newsmax, and One America News Network on U-verse, DirecTV, and AT&T TV both now and beyond any contract renewal date? If so, why?

And I would submit those for the record, Mr. Chairman.

Mr. HUDSON. Without objection, so ordered.

[The information appears at the conclusion of the hearing.]

Mr. GRIFFITH. All right. Thank you, Mr. Chairman.

I am glad to see this subcommittee discussing my bill, H.R. 278, the Broadband Leadership Act, which would make telecommunications infrastructure construction more efficient by expediting local permitting decisions. Under my bill, if a local permit is not approved or denied within 90 or 150 days, or an extension waiver is not obtained, the broadband provider would be granted a permit by default.

Additionally, my legislation would ensure that permitting fees are tied to actual permit processing and equipment maintenance costs.

Mr. Spalter, have your members seen delays in local permitting that could be interpreted as favoring certain providers over others?

Mr. SPALTER. Yes, we have. We have also seen significant initiatives to ensure that there is not only favoritism, but there also can be instances where there are revenue-based decisions about how those fees are actually established for allowing permitting. And we have to actually move forward streamlining them, including through supporting your bill.

Mr. GRIFFITH. And, of course, one of the problems I have is some of my areas don't have service. In certain neighborhoods they don't have it and in certain parts of rural counties they don't have it. And could you provide some examples of exceptionally long permit delays that your members have experienced? Because the permit

delays mean some of my people aren't getting the broadband service.

Mr. SPALTER. I think of just—several examples. For example, we were recently in Utah at the beginning of the summer. One of our local members there told me that they had waited literally 3 years to get a permit to go onto Federal lands to repair a single fiber optic line. Three years.

I heard another colleague in Mr. Latta's district that I spoke to last week who had similar concerns that—with respect to his accessing rights-of-way on a railroad line. He was delayed 7 months before he got to the ability to actually get a flagger on the rights-of-way at \$1,200 an hour.

These are just two small examples that—

Mr. GRIFFITH. Yes.

Mr. SPALTER [continuing]. If you actually extrapolate those, are literally all parts of our country, communities across State, local, Federal, and railroad rights-of-way.

Mr. GRIFFITH. Well, and I know it is not all situations, but do you believe that in some localities—clear again, not all—that they are charging fees on broadband permits and fees for easement or pole attachment fees as a revenue stream for the community?

Mr. SPALTER. Oh, absolutely, there—that is something that we see not only with respect to permitting fees, but we also see, for example, franchising fees on top of permitting fees in certain municipalities that are slowing down our ability to not only carry those costs but are sometimes becoming disincentives for our providers to go into those municipalities and deliver service because of the excessive costs that are entirely—

Mr. GRIFFITH. And that—

Mr. SPALTER [continuing]. Unmoored from reality.

Mr. GRIFFITH. And that particularly affects—does that not particularly affect low-income areas, where it is already a disincentive to go in there because you may not have that many households, and where you do they may not be able to afford the product?

Mr. SPALTER. One hundred percent.

Mr. GRIFFITH. Yes, that is my concern in a district that is economically stressed and mostly rural. I do have some small cities that operate and some small localities that operate some things, but oftentimes they also have areas that are more economically stressed than the rest of the community.

I do appreciate it. I have some other questions I will submit for the record.

And Mr. Chairman, with that I yield back.

Mr. HUDSON. I thank the gentleman. The Chair now recognizes the Representative from California, Mr. Ruiz, for 5 minutes.

Mr. RUIZ. Yes, sir. Thank you so much, Mr. Chairman. In light of the congressman's remarks earlier, I too would like to submit something for the record. They came out about—less than an hour ago from CNBC, the stock and market and business, where the—“Trump Floats Pulling Licenses if Networks are Against Him After Jimmy Kimmel Suspended.”

There is a difference between Members of Congress doing oversight, sending a letter asking them about their decisions, versus

the President of the United States actually demanding that people pull the license of people who disagree with them.

I would like to also submit this one that says FCC Chair Carr says, “We are not done yet” after Jimmy Kimmel’s suspension by ABC.

Mr. HUDSON. Are these articles?

Mr. RUIZ. Yes, these are articles.

Mr. HUDSON. OK.

Mr. RUIZ. Yes.

Mr. HUDSON. Sure.

Mr. RUIZ. Will you—

Mr. HUDSON. Without objection.

[The information appears at the conclusion of the hearing.]

Mr. RUIZ. Thank you. You know, I believe the Bill of Rights defined the core of our country, and I hope my Republican colleagues recognize their importance. They certainly recognize the importance of the Second Amendment, but you can’t have the Second if you don’t have the First Amendment. So I especially would like them to recognize the First Amendment.

While you may not agree with the content, canceling “Jimmy Kimmel Live!” out of fear of retaliation from a President who quite literally can’t take a joke clearly infringes on our First Amendment right to free speech. And I look forward to our upcoming FCC oversight hearing, where I will have the opportunity to question Commissioner Carr about these actions.

OK, now changing subjects, you know, we often hear calls for expanding broadband access and streamlining permitting processes. While these goals sound appealing, the real issues are in regions without broadband like the ones I represent. Oh, and by the way, incentivizing resources where they are needed the most is the definition of equity. So you all right now are having a hearing on equity and wanting to expand broadband access when they are—where they are needed the most.

So according to the Coachella Valley Economic Partnership, only five census tracts in the Valley meet the Federal Communication Commission’s broadband standard. In Imperial Valley, nearly 30 percent of residents lack broadband subscriptions, with families traveling long distances for medical care and children falling behind without reliable internet.

Similarly, roughly 6 percent of households in Mecca—in Hemet, 5 percent in San Jacinto, 78 percent—7 to 8 percent in Banning and Beaumont lack reliable broadband, limiting access to education, telehealth, and local business opportunities.

The problem is, you know, the Trump administration in January froze these broadband access projects entirely. They froze them. Subsequently, the National Telecommunications and Information Administration issued a policy notice in June that forced States and territories to throw out their BEAD plans, these programs, and start all over. That decision has set us back at least 6 months, and still waiting are students without reliable internet, families lacking telehealth access, and small businesses and farm workers cut off from the digital economy.

So Mr. Garner, I strongly support the Affordable Connectivity Program, which Republicans let expire, and now they are targeting

the BEAD's affordability requirements. With these constant attacks on measures to lower costs, how do we ensure broadband is not just available but affordable for families living paycheck to paycheck?

Mr. GARNER. Thank you for the question.

I think one thing to do would be to bring back the ACP, which not only ensures that broadband is affordable to households, it helps attract broadband infrastructure to the low-income communities. Because when you have a guaranteed subsidy for these low-income communities that are harder to serve, you bring—you have reliable customers. So it helps us solve the infrastructure problem too.

Then you could also fix the affordability part—components of the BEAD program. We are using public funds to build networks in areas that, by definition, will not see competition. So if we do not give affordability protections on these networks, there is no way to ensure people can afford them.

Mr. RUIZ. Thank you. You know, permitting reform should be done, but it must be done right. It should never come at the cost of our communities, our State, local, and Tribal partners, or our environment.

So, these bills before us today bypass Tribal processes, forcing resource-strapped Tribes to meet strict timelines for approving construction on culturally and historically significant lands. They are basically giving companies blank checks to go in without consent, without permission onto Tribal lands to do their own business. And I think Tribes should definitely be at the table at all times.

Thank you, I yield back.

Mr. HUDSON. I thank the gentleman. The Chair now recognizes the chairman of the full committee, Mr. Guthrie, for 5 minutes for—

Mr. GUTHRIE. Thank you, Mr. Chair.

Mr. HUDSON [continuing]. His questions.

Mr. GUTHRIE [continuing]. And I am sorry, I was in another meeting and didn't have the opportunity to hear your testimony. I am excited about what we are working on, and hopefully getting our broadband permitting reform and things done.

So Mr. Halley, Congress just reauthorized spectrum auction authority after it lapsed for 2 years. Restoring this authority was essential to maintaining our wireless leadership. Why is permitting reform so important now that we have restored this authority?

Mr. HALLEY. Thank you for the question, Mr. Chairman, and I think it is an important one. I think people think that their smartphone just works by magic. But it is not magic, right? It requires a whole bunch of spectrum, but it also requires infrastructure to put that spectrum to use.

So Congress just put forward a pipeline which was a critically important step, authorizing 800 megahertz of spectrum for full-power commercial use. That is going to be what really leads us forward with the advancement of next-generation wireless networks. But that spectrum is not going to be able to be put to use unless we have the infrastructure that is necessary for that spectrum to work.

And it is interesting, if you look at the potential spectrum that is being considered, whether it is 2.7 gigahertz, or 4 gigahertz, or

7 gigahertz, it is the type of spectrum—as we get further up on the chart, that kind of spectrum actually is going to require more infrastructure than some of the earlier, low-band spectrum that was used. So it makes the conversation we are having today about wireless infrastructure even more important to fully realize the benefits of what Congress did, led by this committee, with that spectrum pipeline.

Mr. GUTHRIE. Well, thank you. And I understand that the \$42 billion authorized in the Inflation Reduction Act, none was spent over the last 3½ years because of permitting and regulation and processes. And I think people on all sides of the spectrum here in Congress wants to make sure that we can have a better process, so we are working that.

So Ms. Pies, your testimony discusses the importance of broadband deployment to AI, and we focus on a lot of that here. As you know, it is a top priority of this committee, and I want to make sure we continue to lead.

Do you—do we risk our leadership in AI if we don't reform the broadband permitting process?

Ms. PIES. Thank you, Mr. Guthrie. Absolutely.

As we all know, there—the infrastructure that we are building, that we are referring to today as broadband, is the heartbeat. It is the entire ecosystem that drives AI development. You have to have connectivity to data centers. You have to have connectivity to the energy companies. And it is the same infrastructure that is being built.

In addition, INCOMPAS represents all parts of the AI and digital ecosystem. So we have data center providers, we have submarine cable providers, we have energy generation and transmission companies, and we have the broadband providers. And every single type of provider that is deploying infrastructure, whether it is updating existing infrastructure or deploying new infrastructure, needs certain kinds of permits.

And the United States runs the risk that we will fall behind, fall behind adversaries, fall behind China, fall behind other countries. It is not a matter of intellectual property or innovation. We have that here. What we don't have is the permitting process that supports that kind of—

Mr. GUTHRIE. Thanks for saying that. And I—just an example, I am reading a book now. I am trying to read everything I can, and there is—I haven't read it yet, but the abundance agenda, I think, is another book that is out. I haven't read that—I will—but one that says that it took 3 years and about a third of the price to build a rail line, a high-speed rail that is the length, the same length in China, from San Francisco to Los Angeles. And we have one that we spent about 3 times the money, many years, and still only a few sections.

And so we want that to work. I am not here saying look at California. I would love to say, boy, we built that in 3—we need to make sure the permitting is right, we don't want to just do what China does. I am not suggesting that, but that is who we are competing with. As I say, we are not competing with European regulation, we are competing with Chinese innovation, so we have to do better.

So Mr. Spalter, your testimony includes a number of examples of State and local governments abusing the permitting process, and this highlights a Federal preemption standard. What—could you give us some examples of that process?

Mr. SPALTER. Thank you, Chairman Guthrie.

We believe that there is a specific and important role for State and local authorities in the permitting process. However, when there are instances where there are impasses in being able to actually get over the finish line on permitting approvals, delays that are not connected to, actually, reality or operational need, or there simply are intractable impasses and bottlenecks, there has to be a national standard that is available. We are willing to work with you and the municipalities and States in evolving those standards that will allow for the broadband projects to proceed to completion in this country. We have waited long enough.

There are ample examples of how we can actually move forward. We have suggested a number of them in our testimony—

Mr. GUTHRIE. Thanks. My time has kind of expired, but I appreciate your answer, and I think we know—we will look at your—we will follow up and make sure we know what we need to do.

So thank you, Mr. Chair, and I will yield back.

Mr. HUDSON. The gentleman—the chairman has yielded. I now recognize Representative Carter from Louisiana for 5 minutes of questioning.

Mr. CARTER OF LOUISIANA. Thank you, Mr. Chairman. It is funny that we are sitting here discussing speed—the ways to speed up connectivity projects today. The most significant delay in my home State of Louisiana has been the Trump administration's rewriting of policies for broadband deployment funds.

In January of this year, Louisiana became the first State in the Nation to secure Federal approval for a plan to deploy \$1.3 billion in BEAD funding. That was—we were ready. The State was ready, had shovels in the ground ready to go in the ground in March. However, this was stopped. Unfortunately, the Trump administration's overhaul of the BEAD program has upended these years of planning, forcing States like Louisiana to scrap their work and to start all over again.

The administration's program changes prioritize short-term cost savings and the interests of Elon Musk over durable, futureproof connectivity, leaving millions at risk of being locked into a second-tier technology. Louisiana now faces new procedural hurdles that will further delay broadband expansion, forcing us to wait again on Federal approvals and hoping the administration doesn't move the goalposts again once we get close to completion.

Mr. Garner, Louisiana's original BEAD plan would have used 95 percent high-speed fiber to connect underserved areas with broadband. Now the State's new plan uses just 80 percent fiber, and communities like Assumption Parish in my district and Webster Parish in the Speaker's district will now instead have Elon Musk's Starlink. What does this change mean for these areas in the long term?

Will they be just as well served, or has—or would they have been better with high-speed fiber?

Mr. GARNER. Thank you for the question. It means they will fall behind in the long term.

I would also note that it will likely be——

Mr. CARTER OF LOUISIANA. Say that again. They will fall behind——

Mr. GARNER. They——

Mr. CARTER OF LOUISIANA [continuing]. In the long term.

Mr. GARNER. Every day——

Mr. CARTER OF LOUISIANA. We are going to go from a better product to a inferior product.

Mr. GARNER. We are shifting them from a better product that would last for forever, basically, to a product that will not—barely meet the needs of today, much less those of the future.

Mr. CARTER OF LOUISIANA. So let me—I want to make sure I am getting this right. If the State had sufficient funding within the BEAD allocation for fiber, is there any legitimate justification to force the State to use an inferior broadband technology?

Mr. GARNER. There is not. And I would note, too, that while they—while 80 percent of the locations in Louisiana have fiber now, that number is likely to come down as NTIA institutes another round of fiber cuts.

Mr. CARTER OF LOUISIANA. Going further in the wrong direction.

Mr. GARNER. Going further in the wrong direction.

Mr. CARTER OF LOUISIANA. I am particularly concerned with the nondeployment funds, as our Governor sent a letter to the Trump administration urging it to allow States to use these funds. Louisiana's original plan included the use of using \$100 million in non-deployment funds to improve access to telehealth in rural areas with limited nearby medical facilities. These funds would have been transformative, especially now as Republicans' Big Ugly Bill will cause more rural hospitals and clinics to close.

Mr. Garner, isn't it true that the Bipartisan Infrastructure Law explicitly approved the use of nondeployment funds?

Mr. GARNER. Yes.

Mr. CARTER OF LOUISIANA. What other investments would be missing in Louisiana if the Trump administration illegally tries to claw back these funds?

Mr. GARNER. Telehealth, workforce development, AI preparation, cybersecurity. The list goes on and on.

Mr. CARTER OF LOUISIANA. All things that my colleagues on the other side of the aisle on any given day really kind of pledges their support for: AI, security, making sure we have telehealth in our rural areas for people who undoubtedly are going to lose access to health clinics because of the drastic cuts, some 17 million people taken off the rolls. Are we heading in the right direction there?

Mr. GARNER. No. It is setting us in the wrong direction today and setting us up to fail in the future.

Mr. CARTER OF LOUISIANA. So what happens now when—if we are using an inferior product?

You mentioned earlier when these people—when these companies go into an area where there won't be competition, if they have an inferior product they are going to kind of be stuck with it, right?

Mr. GARNER. Yes.

Mr. CARTER OF LOUISIANA. No competition, no one comes in, you have got a product that doesn't work, no one is coming in to challenge it, people are at a position where they are being charged more for less product.

Mr. GARNER. And no opportunities on the horizon to fix it.

Mr. CARTER OF LOUISIANA. So we have gone from nothing to worse, arguably.

Mr. GARNER. Arguably.

Mr. CARTER OF LOUISIANA. I yield.

Mr. HUDSON. The gentleman yields. Now we will call on Representative Dunn from Florida for his 5 minutes of questioning.

Mr. DUNN. Thank you very much, Mr. Chairman.

I think Congress must take an all-of-government approach to quickly administering solutions for broadband permitting reform. The 29 permitting reform bills that we are discussing today are crucial for building broadband capabilities. And while we have been moving the needle towards bipartisan reforms over the last decade, the iron is hot now.

If we want to continue dominance on a global scale we must follow through for our communications industry, national security, and American families. Luckily, we have succeeded this year in a few major ways. We delivered a huge win to the American people with the One Big Beautiful Bill, unleashing 800 megahertz of spectrum and securing major tax extension benefits to assist the industry in achieving those goals.

However, the third leg of the stool is that we need to follow through on these permitting promises by enacting this reform. Without this reform, none of the infrastructure needed to connect Americans will be made a reality. The GAO reported that from 2015 to 2020, Federal programs have invested at least \$44 billion in activities to support broadband. And more recently, the Infrastructure Investment and Jobs Act appropriated \$65 billion for several broadband programs, including the NTIA's BEAD Program.

However, one of the most prominent permitting actions we have taken was in 2018, when Congress passed the MOBILE NOW Act, which established a 270-day deadline—a shot clock, if you will—for executive agencies to grant or deny applications for easements, rights-of-way, releases to install, construct, or modify communications facilities on Federal property.

Further, a 2018 Executive order required GSA to issue quarterly reports on the applications to place communication facilities on Federal properties. But 270 days seems like an exorbitant amount of time to replace critical infrastructure after, say, a hurricane or natural disaster. We are talking about replacing. My bill, the Connecting Communities Post Disaster Act, would help resolve these permitting hurdles. Not to mention this timeline is frightening when you have to compete with China.

According to the GAO, from 2018 to 2022 the two agencies that processed the most applications from telecom providers were the Bureau of Land Management and the USDA. Only 50 percent of their applications met the 270-day deadline. That is unacceptable for the United States, and I am confident that we have solutions in these bills today, Mr. Chairman, to address a lot of these pitfalls.

Mr. Halley, several times throughout your testimony you mentioned how the FCC succeeded in enacting rulemaking for shot clocks for permitting at the State and local level. Can you explain what these shot clocks are, and how—which ones of these rulemakings have been most successful, most effective?

And if you want to comment on our legislative package today, I would be—love to hear it.

Mr. HALLEY. Sure. Well, first I would say thank you very much for the legislation that you proposed. I think we should always want to move as quickly as we can after a disaster to get infrastructure replaced.

And interestingly enough, when we are talking about replacing infrastructure that has been destroyed by a disaster, that infrastructure had already gone through a process previously, and that is why it was deployed. So I think it is a perfect example of our principles around predictability and proportionality. When we are talking about adding to or replacing infrastructure that had been previously approved by a local or Federal agency, it doesn't make sense that we should have the same amount of delay and timelines for replacing something that was previously approved. That is a really important piece—

Mr. DUNN. Yes, I agree entirely with that, obviously. I mean, you have already permitted it once.

Your association is active in the telecom apprenticeship program. States like Ohio have those programs. Have you had conversations with Florida's broadband office, and can you give us any advice on where—you know, how we are helping our workforce? What does it look like in my State colleges and universities?

Mr. HALLEY. We have absolutely had discussions with your State broadband office and some of the higher education institutions in your State. The State is definitely leaning in very hard on ways that we can effectively train the workforce that is necessary to deploy the networks of not just today but the networks of tomorrow.

And I do think it is really important that we not just look at this as a permitting issue but also as an opportunity to provide the funding for the programs that really will train the workforce we all need to get the job done.

Mr. DUNN. Thank you so much. You know, we welcome you to the Second District of Florida, where we have colleges that will train these people.

Mr. HALLEY. Absolutely.

Mr. DUNN. Mr. Chairman, I yield back.

Mr. HUDSON. The gentleman yields, and now I call on Representative Menendez from New Jersey—

Mr. MENENDEZ. Thank—

Mr. HUDSON [continuing]. For his line of questions. Five minutes.

Mr. MENENDEZ. Thank you, Chairman. I would like to start off with addressing an issue that is critical to the telecommunications and media landscape of the United States and the oversight duties of this committee. The attack on the freedom of the press from the Trump administration, specifically FCC Chairman Brendan Carr, is unconstitutional and completely unacceptable.

We started this with the chair of the subcommittee saying that we didn't want to weigh down this, but our colleagues across the

aisle have, and they have introduced into the record letters written by members of the legislature to media outlets asking a series of oversight questions. To compare that to the FCC Chairman using his power to force broadcasters into the action that the President wants by threatening to block their multibillion-dollar media mergers is not even comparable. And that should be obvious to everyone in this room, especially because we have an oversight function over the FCC, the main Federal entity that regulates telecom.

So if we are going to sit here and try to call balls and strikes, the Republicans on the other side of the aisle have to do it because they know, if this was the Biden administration taking this action, if it was a Democratic FCC Chair, they would be up in arms like we are because it is completely unacceptable. And I hope that they will speak out against it because to say that what those legislators did is the same as what the President and the FCC Chair did is completely unhinged.

Turning to the topic of today's hearing, we should all be able to agree that we need to expand access to high-speed, affordable broadband across the country in order for Americans to fully participate in the digital economy. This is an issue that affects both blue and red States and rural and urban communities alike.

But while we have heard from both sides of the aisle today about the need to roll out broadband connectivity in a timely manner, the Trump administration and my Republican colleagues have taken numerous actions that hinder connectivity and drive up broadband costs for American families.

Mr. Garner, just yes or no, did Republicans' refusal to extend the Affordable Connectivity Program make broadband more expensive and less accessible for American families?

Mr. GARNER. Yes.

Mr. MENENDEZ. Thank you. Mr. Garner, will the Trump administration's slashing of the Federal workforce slow the rollout of broadband across the country?

Mr. GARNER. Yes.

Mr. MENENDEZ. Thank you.

So Mr. Garner, just again, yes or no, will a Republican lapse in the Affordable Connectivity Program combined with the Trump administration's slashing of the Federal workforce reduce access to high-speed, affordable broadband?

Mr. GARNER. Yes.

Mr. MENENDEZ. And we agree that we have talked about artificial intelligence a significant amount today. It is in a lot of your testimony. We also talk about it here on E&C.

Ms. Pies, will more energy be needed to meet the increased demand for artificial intelligence?

Ms. PIES. Yes, absolutely.

Mr. MENENDEZ. And just yes or no, do you believe that to meet that energy demand we should have an all-of-the-above strategy so we put as much energy as possible onto our grid?

Ms. PIES. Yes.

Mr. MENENDEZ. Now, we have heard that from witnesses across multiple different hearings, that we need an all-of-the-above strategy when it comes to energy because that is what AI demands. The data centers we are already seeing, it could be—up to a 12 percent

of energy demand in the next several years could be AI data centers alone.

And now all of our residents are dealing with the cost of energy prices, no matter what State we are in, yet this administration is not taking an all-of-the-above strategy. They are picking winners and losers, and they are cutting off access to offshore wind because they—when I say “they,” the Trump administration—doesn’t believe in it.

We have had people from the Department of Energy who have come in here and not wanted to acknowledge the benefit of renewable energy, despite the fact that in places like Texas we have seen that 30 percent of their energy production comes from wind and solar, and that is why Texas residents are seeing lower costs in their energy prices.

So going back to today’s hearing, which—as difficult as it is to do with everything going on—Republicans are claiming to be hyperfocused on expediting access to reliable connectivity while at the same time taking concrete steps that significantly decrease the number of people that have access to broadband by refusing to take an all-of-the-above energy approach, slashing Federal workforce, and cutting funding for affordable broadband.

Mr. Garner, is promoting digital literacy initiatives such as cybersecurity trainings for seniors vital for expanding access to broadband connectivity?

Mr. GARNER. Absolutely.

Mr. MENENDEZ. Because we want more people to have it, but we have also seen a huge rise in spam and scams that specifically target veterans and seniors. Is that correct?

Mr. GARNER. Yes, it does—yes, it is.

Mr. MENENDEZ. And these digital literacy initiatives help those people be prepared for the future that we all are going to be a part of. Is that correct?

Mr. GARNER. That was the point of the bill.

Mr. MENENDEZ. And Mr. Garner, will the Trump administration’s decision to cancel over \$2 billion from the Digital Equity Act decrease access to the internet?

Mr. GARNER. It will.

Mr. MENENDEZ. So what are we doing here today? Do we need permitting reform to make broadband more accessible? We can work on that in a bipartisan way, but we have to do it in a holistic way, and we have to have our colleagues across the aisle call out the administration when they are setting us back. Democrats will continue to do it. We will hold the administration accountable, especially if our colleagues will not.

Thank you, and I yield back.

Mr. HUDSON. The gentleman yields, and now I will call on Mr. Fulcher from Idaho for his 5 minutes of questioning.

Mr. FULCHER. Thank you, Mr. Chairman, and to the panelists, thank you for your feedback today.

And Mr. Halley and Mr. Spalter, both of you referenced the 270-day shot clock and some of the examples of how agencies have failed to meet that time window. And I—my information confirms what you have been saying. In fact, I am going to give you a couple more examples.

In my home State of Idaho, Cambridge Telephone Company tells me that they have projects that still take somewhere between 2 and 4 years to get through permitting. And there was a particular tower process or a tower build request for Brundage Ski Mountain. It is a resort area about 2 hours from Boise. And that was delayed. They found some things in there, I think it was three endangered whitebark pine trees. And despite very reasonable mitigation solutions, that project basically just got halted.

It did take my office to break the stall on that, but it was also a 3-year delay. And so there is just another example.

Another one in Midvale, Idaho. MTE Communications had a project stall due to the need for multiple NEPA studies, NEPA requirements, and that was simply because they were trying to run a conduit and a fiber cable about 100 feet from a roadway on Federal land. So once again, those are just some of the examples out there.

And I have got a—this is—I am going to ask both Mr. Spalter and Mr. Halley this, but I have got a bill, H.R. 2298, the Reducing Barriers for Broadband on Federal Lands Act, and this would eliminate the need for multiple NEPA or NHPA reviews on previously disturbed Federal land, which is a huge deal in my State and the West. About two-thirds of the land mass in my State are Federal. And this would eliminate the need for multiple NEPA or NHPA reviews on previously disturbed land, and it would exercise a right-of-way provision to provide broadband infrastructure on these Federal lands.

So I would just ask you, from your vantage point, wireless broadband, would legislation like this help in expediting the permitting process, in your view? And I will start with Mr. Spalter.

Mr. SPALTER. Well, let me begin. Absolutely, Mr. Pfluger. I will say that that is the kind of innovation that we need to move forward aggressively in our plans to deliver broadband.

We know conclusively that the great majority of permitting delays are on areas where they are always—already have been previously analyzed and approved rights of way, and that includes on Federal lands. We believe that a very straightforward shot clock formula and a deem granted approach—30 days and 60 days—is a path forward. We support your effort and your bill, and we want to see it across the finish line.

Mr. FULCHER. Mr. Halley.

Mr. HALLEY. Thank you for the question, and I agree. We also support your legislation, and we think it is important that there is a process where, again, we are not starting from scratch, right? This is—projects have already been approved previously. We shouldn't treat another project after that as if we are starting from scratch, which is what your bill recognizes.

The other thing I will tell you is I get a lot of calls from tower company CEOs. And when we are talking about access to Federal lands, the most challenges they have are out in the West, whether it is Idaho, Utah, Arizona, New Mexico. Those are some of the hardest areas to build. And unfortunately, it is some of the areas where we have the least coverage and where it takes the longest to get something permitted on Federal lands. So I appreciate you looking into the issue.

Mr. FULCHER. That is where the bulk of those Federal lands are, and we live that in my State every day. So thank you for that.

Ms. PIES, in your testimony you noted the need for a unified approach. I notified that terminology for permitting broadband on Federal lands to try to cut through the continued lack of coordination.

Also, former NTIA Administrator Davidson spoke of a—he actually framed it as a—“Federal lands management desk” was a term that he had used. And I would just ask you to speak for a moment. Would simplifying the NTIA decision-making process by helping local broadband providers get more predictability? Would that simplification process help, and could you speak to that for a moment?

Ms. PIES. Yes, absolutely, and that is not just about Federal lands. When we have a streamlined process, more transparency, less duplication, and something that we haven’t talked a lot about yet today, but the use of technology—and there are several bills that address this—to facilitate the permitting process, it is going to ensure that we can build faster, that we aren’t wasting precious capital, whether it is BEAD funding or private capital, and that consumers and businesses get access to the technology.

And I think that if we look at all of those types of actions, you are not going to find a tradeoff with protecting the environment or with ensuring that consumers have access to the broadband that they deserved. It is going to achieve all those goals simultaneously.

Mr. FULCHER. Is there a concern about—sticking with you Ms. Pies, is there a concern about losing BEAD money if these permitting requests take too long?

Ms. PIES. Is—I apologize.

Mr. FULCHER. Is there a concern about losing the BEAD money, the access to the funds, if the permits take too long?

Ms. PIES. There is a concern that the money will not be used efficiently. BEAD has very strict deadlines for deployment. And if you can’t get a permit in order to deploy during that time period, I actually don’t know what happens.

Mr. FULCHER. Yes.

Ms. PIES. You could have to return some—

Mr. FULCHER. It may not be there, yes.

Ms. PIES. Correct.

Mr. FULCHER. OK, good, thank you.

So broadband providers that I communicate with also see disconnects between local and the agency management location. So, for example, district rangers may have a certain position that they want to take, but yet they have got to run it through an agency head someplace. And I would just ask, How can we improve communications between, say, the local and the management, the ranger and the agency head somewhere? Can you speak to that at all?

Ms. PIES. Yes, absolutely. I mean, that is a streamlined process. That is the hallmark of a streamlined process. If we have a process that everybody can look to, whether it is the head of the agency or the local jurisdiction, and they understand what the process is, and when you have technical digital portals that can be utilized—and today we even have AI programs—

Mr. FULCHER. Thank you.

Ms. PIES [continuing]. That can facilitate that—then it is going to reduce misunderstandings, it is going to increase efficiency, and it is going to ensure that we are using our well-earned capital to be able to deploy.

Mr. FULCHER. Thank you that—for that.

And Mr. Chairman, I apologize. I am over time, and I yield back.

Mr. HUDSON. I thank the gentleman. The Chair now recognizes the gentlelady from Virginia, Ms. McClellan, for 5 minutes for your questions.

Ms. MCCLELLAN. Thank you, Mr. Chair.

As we all agree, the BEAD program was the largest investment, Federal investment, in our Nation's broadband infrastructure in American history. And throughout the year, including in today's hearing, the majority has bemoaned the timeline for implementation of the program to now falsely blaming permitting as one of the reasons for delays so far.

But I think you would all agree, hopefully, that you can't seek permits until you determine where you are going to build the infrastructure and who is going to build it. And the way to ensure that you are not going to use Federal money in a way that is wasteful is to first identify who the unserved populations are, what is already in the pipeline, and create a map.

You all agree with that, right?

Mr. SPALTER. Well, if I understood you correctly, Congresswoman, I would say that there are providers that have already undertaken efforts to get permits, even if they are not—

Ms. MCCLELLAN. No, that is not my question. Yes or no, you would agree that, before you ever get a permit to build a broadband infrastructure, you need to decide where you are going to build.

Mr. HALLEY. Yes.

Mr. SPALTER. Yes.

Ms. PIES. Yes.

Ms. MCCLELLAN. OK, thank you. Now I want to ask a couple more tablesetting questions.

Do you all agree, yes or no, that federally-funded broadband networks should be scalable and reliable and able to meet both current and future broadband needs of consumers and businesses?

Mr. HALLEY. Yes.

Mr. SPALTER. Yes.

Ms. PIES. Yes.

Mr. GARNER. Absolutely.

Ms. MCCLELLAN. Do you all agree there is no one-size-fits-all technology capable of meeting the ever-increasing upload and download needs of consumers in all geographies at the same level at the same cost?

Mr. HALLEY. Yes.

Mr. SPALTER. Yes.

Ms. PIES. Absolutely, and that is who INCOMPAS represents.

Mr. GARNER. Yes.

Ms. MCCLELLAN. Thank you. Do you agree that the segments of the country that are not currently connected, by their very nature are more expensive to connect or more difficult to connect because of geography or other factors, and if they could be connected using

a least-cost model they would already be connected now, without Federal funding?

Mr. HALLEY. Yes, yes.

Ms. PIES. Did you ask if they would already be connected today?

Ms. MCCLELLAN. Without Federal funding, yes.

Ms. PIES. In some instances, yes.

Ms. MCCLELLAN. OK, thank you.

Mr. GARNER. Yes.

Ms. MCCLELLAN. All right. Thank you for that table setting.

With the June restructuring notice, NTIA made clear that it would prioritize lowest-cost bids over long-term connectivity in an attempt to root out so-called waste, fraud, and abuse. Mr. Garner, I particularly appreciate your testimony underscoring that permitting is simply a process, but scalable and reliable connectivity is the actual ultimate goal.

We have seen how badly a cheap approach can go. Virginia stands to lose about \$82 million in Federal funding due to grant award winners who defaulted in the Rural Digital Opportunity Fund and walked away from their commitment because they didn't have the capacity to fill those needs.

Mr. Garner, can you share some of the other lessons the Trump administration should have learned the last time it chose to prioritize lowest-cost bids rather than long-term service quality?

Mr. GARNER. Yes, designing a broadband infrastructure grant program around a race-to-the-bottom bidding process is not a way to get high-quality broadband networks to our most vulnerable communities. That is what we learned in RDOF, and that is what they are turning BEAD more towards.

Ms. MCCLELLAN. And what communities will pay the price and be hit the hardest if these projects are delayed any further or not built at all?

Mr. GARNER. They will not get the same sort of broadband that we enjoy, the broadband that is needed to thrive today and in the future.

Ms. MCCLELLAN. And would you all agree that if broadband is physically available but not affordable, it is not available for our consumers?

Mr. GARNER. Absolutely. If you can't afford it, you don't have it.

Ms. MCCLELLAN. Does anybody disagree?

OK. With the Affordable Connectivity Project gone and the Universal Service Fund on an unsustainable trajectory, and now the Trump administration gutting the low-cost service option under BEAD, Mr. Garner, without a clear strategy to keep service affordable, how do we ensure that no household or small business is left behind even when the broadband infrastructure physically reaches their communities?

Mr. GARNER. We have severely limited tools now because we have lost the ACP and the affordability requirements in BEAD. So we need to build new ones.

Mr. HALLEY. May I address that?

Ms. MCCLELLAN. Yes.

Mr. HALLEY. One thing I think we should also acknowledge is the best thing we can do is make this the most competitive communications marketplace possible. And one of the benefits of permit-

ting and the importance of this hearing is that, if we do get permitting right, you will get more wireless infrastructure deployed, you will have more wireless connectivity.

The technology that is driving competition in the home marketplace today and mobile marketplace is wireless connectivity. So we should look—talk about, you know, subsidy programs, and we should look at USF reform as the bipartisan working group is doing. But we should also focus on policies that make sure the \$30 billion annually that the wireless industry invests is put to use as quickly and efficiently as possible. And that is why permitting reform actually does matter for the affordability question, because it creates more competition, and more competition brings prices down. So it is—I think we need to look at it very holistically.

Ms. McCLELLAN. And my time has expired, but I do just want to say we need to look at it holistically. And so while permitting reform is part of the problem, I think we have touched on reliability, connectivity, and affordability are also equally important if we are going to leave no community behind.

And with that, unfortunately, I have to yield back my time.

Mr. HUDSON. I thank the gentlelady, and I will recognize the gentleman from Texas, Mr. Pfluger, for 5 minutes.

Mr. PFLUGER. Thank you, Mr. Chairman, an important topic, one that I hope will be bipartisan and that we can stay focused on.

This Congress I am leading the Federal Broadband Deployment Tracking Act with Congressman Soto to improve transparency and efficiency in the broadband deployment process. And our legislation, which unanimously passed the House last year, would require the NTIA to submit a comprehensive plan to Congress detailing how they will track permit applications to deploy on Federal lands, which are essential for accessing easements and rights-of-way to build and maintain telecommunications. So a couple of questions here, and I will start with Mr. Spalter.

Can you help underscore the need for this legislation? And specifically provide maybe some examples of where one of your member companies had crews ready, equipment purchased, and Federal funds allocated, but the project was delayed simply because a permit sat on somebody's desk?

Mr. SPALTER. In north central Ohio is one example where we have had crews ready, spools deployed, forward-deployed, ready to go, but we have been waiting and waiting and waiting for permits, particularly from a railroad line.

In California we have seen multiple situations. One recently, 656 locations failed to be able to be served because of delays where our crews and our infrastructure and our capital was on the line, waiting for approvals that never came, and so the provider decided they had to go walk.

This is outrageous. It needs to be actually fixed. And your bill, in particularly driving forward efficiencies on 299 applications, is one of the many ways forward.

It also requires a whole-of-government approach. We are really grateful that NTIA has undertaken its broadband task force to regularize how we can work across agencies, but it is initiatives and innovations like your legislation that are going to get us there.

Mr. PFLUGER. Thank you very much.

Ms. Pies, applying for a permit to deploy broadband on Federal land can be lengthy and frustrating, as we just heard. How can we improve the process of getting a permit to deploy on Federal lands?

Ms. PIES. Thank you for the question. I absolutely do believe that your bill would be an improvement. As I mentioned recently, the utilization of technology—whether it is online tools, a digital portal, the use of AI-driven software—can make that process much more efficient and much more effective. And some of the proposals that you have in your legislation would absolutely solve that piece of the puzzle.

Mr. PFLUGER. Thank you very much.

And Mr. Halley, do you have anything to add on the wireless side?

Mr. HALLEY. Yes, I want to associate myself with both of the comments that they just made on the wireless context, as well, and I really do appreciate the legislation that you have put forward because we do need to have increased coordination across agencies and, frankly, increased coordination between agencies and industry.

So whether it is legislation like yours, which would require that coordination, or the development of portals to improve the technology that the agencies use, it is all very important. I was talking to one of our members earlier this week, and they were telling me about a project on Bureau of Reclamation land in California, where the State historic preservation officer about 2½ years ago approved their plan to move forward. Two and a half years later, they are still waiting for approval from the Bureau of Reclamation. That is not acceptable.

Mr. PFLUGER. No. It is no wonder the frustration is so high when you have to compete against the Government, you know, not at the speed of commerce.

The Trump administration and NTIA's recent benefits and bargain round has streamlined the BEAD program, and has removed unnecessary regulations which have lowered the cost of the—of BEAD by tens of billions of dollars.

Ms. Pies, could enacting the bills before us today further create savings for BEAD?

Ms. PIES. Yes. I think to the extent that the permitting process is streamlined, that we remove inefficiencies, that we create greater transparency and ensure that agencies are working from the same database of information, the broadband provider can cut costs and save money.

One thing that I think is a little bit difficult to assess is when a broadband provider is seeking to be a subgrantee, they have to submit their costs in advance. So to the extent that they understand where those efficiencies can be gained, it can improve the process overall.

Mr. PFLUGER. Thank you very much.

Mr. Chairman, it just occurred to me, you know, we have had a little bit of a talk of freedom of speech. And I just had an opportunity to meet with some veterans who on both sides of the aisle are calling for unity after this—the tragedy. And so instead of, you know, being here talking about—you know, just continuing to add

to the nonsense, they are actually doing something about it. It would be nice if everyone would do that.

And there is a difference between freedom of speech and a company's right to terminate employment with somebody for insensitive remarks, which I think is really important.

So I appreciate your leadership on everything, and especially having this hearing. I yield back.

Mr. HUDSON. I thank the gentleman, and I apologize to our witnesses. There are two roll call votes on the House floor. Time has expired, so we are going to need to rush down. So the committee will stand in recess until 10 minutes after the last roll call vote is called.

[Recess.]

Mr. ALLEN [presiding]. The committee will reconvene, and I will call on Representative Carter from the great State of Georgia for his 5 minutes of questioning.

Mr. CARTER OF GEORGIA. Thank you, Mr. Chairman, and thank you all for enduring this and hanging around. We appreciate you being here very much.

Look, one of my top priorities is to close the digital divide. I represent the coast of Georgia, and a lot of my district is south Georgia. And we have a saying in Georgia. There are two Georgias: There is Atlanta and everywhere else. Well, I represent everywhere else. And we need to close that digital divide, and we need to have affordable and reliable connectivity.

Another priority of mine is helping the U.S. maintain the leadership on broadband and on wireless innovation. And that is very important, as well.

You know, the past 4 years under the Biden administration there has been a disaster for broadband development, our deployment and expansion throughout America, and we are trying to fix that. This Congress I reintroduced the Proportional Reviews for Broadband Deployment Act, which expedites the process for certain modifications to wireless towers or base stations. No need for us to go through the entire process every time if you are just doing some minor adjustments or minor changes.

Specifically, it exempts the addition, removal, or replacement of transmission equipment on those towers or stations from environmental and historic preservation reviews.

Mr. Halley, let me ask you, should these simple modifications require a lengthy review process?

Mr. HALLEY. Mr. Carter, they should not, and I want to thank you for your leadership not only this Congress but last Congress on recognizing the importance of having rules and regulations that are predictable, proportionate, and transparent. And what your bill recognizes is that, when infrastructure has already been sited and you are making a modification to it or an upgrade, we shouldn't have to start from scratch. That just doesn't make any sense.

Mr. CARTER OF GEORGIA. Well, I appreciate that.

You know, we—I have a lot of businesses come into—a lot of business leaders come into my office. And regardless of what sector of our economy they are talking about, whether it be healthcare, technology, or energy, it is always the same thing: permitting, reg-

ulations crushing us, crushing us. And they want that certainty, that certainty that you are talking about. That is what they want.

Let me ask you as a followup, Mr. Halley, how long is the average timeline until completion for one of these permitting reviews?

And how would this legislation improve the quality and timeliness of broadband deployment in America?

Mr. HALLEY. So the—it really depends, honestly, on which jurisdiction or which Federal agency you are working with.

What I will say is the good news is over the last decade local communities and local governments understand the importance of having that connectivity. So overall we have a pretty productive partnership with local governments. But there are times—for example, there is—I was talking to one of our members earlier yesterday about delays in a county in California, where on average things are taking 12 to 18 months for a single site review. And that is just way too long for infrastructure that that community needs.

Mr. CARTER OF GEORGIA. And that is why we are trying to put stop clocks on some of these things and trying to expedite the process. We want to make sure it is done right, and we want to make sure that—you know, we want the autonomy of the local governments. But come on, this is important, and it is needed immediately, and we need to get this done.

Are there any types of barriers that are unique to wireless facilities compared to wireless broadband when it comes—or wireline broadband when it comes to permitting? Are there any big differences?

Mr. HALLEY. Well, it is a different type of infrastructure when you are talking about a tower or a small cell compared to deploying fiber. You know, it is a different type of project. I think there are a lot of commonalities, though.

And one of the things that I think is really great about the bills that are being considered by this committee today is it recognizes the difference for different types of projects. So, for example, when we are modifying an existing structure, for example, the shot clock there is 60 days. When we are talking about shot clock on a brand-new build where we haven't previously deployed, it is a longer period. That makes sense, right? It is a proportional perspective, where the amount of time where local governments get is commensurate to the type of project that is being deployed, and that makes total sense.

Mr. CARTER OF GEORGIA. So NEPA and also the National Historic Preservation Act, they have seemed to become quite problematic when you are trying to navigate the permit approval process. How can we streamline NEPA and the National Historic Preservation Act?

Mr. HALLEY. Well, I think it goes back to a recognition, again, of the principles that we have been advocating for about proportionality, predictability, transparency.

You know, we do have requirements under NEPA and NHPA for environmental and historic review, and we are—understand what that process looks like. But again, I think we need to make sure that we don't have the same processes that can sometimes take—make a project go from what should be months to years when we

are talking about rules that apply to a new build, again, versus something that has already been approved.

If we have already disturbed the ground, if we have already done the historical review in the first place for a project, we certainly shouldn't have to do it again when we are just modifying an existing structure. And a lot of these bills recognize that, and I think it is important.

Mr. CARTER OF GEORGIA. And I appreciate that. And being from Savannah, Georgia, let me tell you I know all about historical reviews. Thank you all, and thank you very much.

And I yield back, Mr. Chairman.

Mr. ALLEN. The gentleman yields, and now I will call on Dr. Joyce from Pennsylvania for his 5 minutes of questioning.

Mr. JOYCE. Thank you, Mr. Chairman, and thank you, Ranking Member Matsui, for allowing me to join in this important hearing.

Even in a time of technological innovation and advancement, people across this great land remain, unfortunately, unconnected. Broadband deployment is hindered by burdensome regulations and processes that leave people without that necessary access. In the district that I represent in Pennsylvania, rural areas lack broadband coverage, and it is critical that we in Congress work to expedite broadband permitting to bridge that digital divide that rural communities face each and every day.

Last week I introduced H.R. 5273, the Broadband Competition and Efficient Deployment Act. This legislation would remove the requirement to prepare an environmental or historic preservation review in order to add or upgrade wireline facilities. These unnecessary review requirements are just one of the examples of barriers that can delay or even prevent broadband deployment.

Mr. Spalter, in your testimony you referenced several instances of environmental and historical reviews delaying broadband deployment projects, sometimes, unfortunately, by years. Would you please speak to the impact that removing this requirement would have on the deployment efforts, particularly in rural areas like the one that I serve, which are so underachieving when it comes to connectivity?

Mr. SPALTER. Thank you, Congressman Joyce, not only for your leadership in this bill, but also for your leaning in with innovation and force on making sure that we can address railroad rights-of-ways in reasonable, thoughtful ways.

Look, we absolutely believe in a couple of principles that are embedded in your bill. One is that we have to be able to have improved processes, including deduplication. Second is we have to have what we have talked about earlier, which is certainty. We have to have clear timelines that are acceptable to consumers, to your constituents, to be able to deliver that broadband without undue, intractable delay. And third, we have to have national baseline standards that, when there are rare instances of impasses between State and local authorities and those seeking permits, there can be essentially a last-ditch recourse that we can refer to at a national level. So we appreciate your initiative, and we really do support your work.

Mr. JOYCE. Thank you very much.

You brought up, Mr. Spalter, the barrier that providers face in getting broadband to the other side of railroad tracks due to the long process that delays service to rural and suburban communities. I am the grandson of railroad workers, and in this Congress I plan to introduce the Broadband and Telecommunications Rail Act, legislation that would streamline the process of broadband infrastructure in an intersection between the right—the public right-of-way and a rail corridor.

The rail connected people in generations in the past. Connections need to continue, and we need to be able to work together.

Ms. Pies, can you explain the problems that providers face in deploying broadband with the public right-of-way intersects with that of a rail corridor?

Is the current notification and application process efficient for broadband providers?

Ms. PIES. The current process is not efficient—excuse me—for broadband providers to be able to cross railways. Where the public right-of-way intersects with the railway, the provider should be able to provide notification to the railway and have the authority to be able to access the right-of-way from the local jurisdiction using standard engineering techniques as well as safety standards—should be able to cross the railway with that notification process.

Mr. JOYCE. So connection at another level is what you are telling me. Just as the rail provided the connection from community to community, broadband has those capabilities of doing it today. So what are the challenges because of the fees that the railroads provide that intersect, that stop this connectivity from occurring?

Ms. PIES. The fees are a significant problem, and I appreciate you highlighting that. It is often the case that the railway will notify our broadband providers that a specific fee is due, and there is no connection to safety or the actual cost to the railway for that fee. That creates additional costs for the broadband provider, which in many ways creates a deterrent. And in some instances you are going to have broadband providers plan their network so that they don't have to cross the railway, which—

Mr. JOYCE. We don't need any additional deterrents in rural areas.

Ms. PIES. Exactly.

Mr. JOYCE. We have to be able to address this. And as we work to address broadband permitting and deployment, it is essential that we make every effort to streamline the process, remove burdensome regulations, and ensure that broadband is deployed quickly.

The Broadband Competition and Efficient Deployment Act will remove unnecessary review requirements so that we can take a step in the right direction. I look forward to introducing and working with railroads, with providers, and other stakeholders on the RAIL Act to ensure that this process is fair, that it is efficient, and that it is effective for all that are involved. We must work together toward solutions that expedite permitting to bring broadband infrastructure to every single Americans.

Thank you for being here.

Thank you, Mr. Chairman, and I yield back.

Ms. PIES. Thank you.

Mr. ALLEN. The gentleman yields. I now recognize Representative Landsman from Ohio for 5 minutes of questioning.

Mr. LANDSMAN. Thank you, Chairman, Ranking Member. And Mr. Joyce, before he gets out of here, thank you for your leadership on this bill. This is a really important bill. And, you know, I am glad that you all are here testifying on the need for permitting reform.

Just so folks that are watching and are trying to figure out what this is all about, the railroad piece is, I think, one of the more simple, you know, easier pieces to do. There are some, you know, questions that we still have around labor and existing CBAs, but if a broadband company is trying to get broadband out to communities and they happen to, you know, come across a railroad, you know, where the right-of-way, the public right-of-way, crosses the private railroad property, we should be able to move forward with the broadband and our broadband providers should not be facing the kind of obstacles they face now.

This is one of—not the core reasons, but one of the reasons why we are struggling to get broadband to the places we need to get it.

I am a big believer that we, as a United States Congress and as a country, have to adopt a broadband-everywhere policy, where we appreciate just how critical access to the internet and broadband is. And, you know, I would love anyone—Ms. Pies, maybe you could start us off.

Could you—and this is along the same lines as Dr. Joyce, but if you could, just talk a little bit about what obstacles—describing the obstacles that a broadband, you know, company faces now when they reach that point at that intersection, and what this bill would do to remove those obstacles.

Ms. PIES. Yes. Thank you for that question. We appreciate your support for the principles in the legislation, as well.

INCOMPAS providers very often have to cross railroads, more often in rural areas of the country. And as we discussed already, not being able to cross the railroad in a reasonable period of time or at a cost that reflects the actual cost creates another digital divide and defeats your goal of bringing broadband everywhere.

These problems exist in railways around the country, not just in a single location.

Mr. LANDSMAN. Yes.

Ms. PIES. And the costs are often not linked to actual—I am sorry, the price being charged is often not linked to actual costs.

I think one thing that is really important for everybody to remember is that being able to cross the railroad and pay actual costs is not exclusive of focus on safety and focus on the workforce.

Mr. LANDSMAN. Sure, yes.

Ms. PIES. We can have all those things—

Mr. LANDSMAN. Of course.

Ms. PIES [continuing]. At once. And having guidelines and having the FCC in the position of being able to establish those cost guidelines makes the process easier and helps us achieve the goal of broadband everywhere.

Mr. LANDSMAN. Thank you.

Yes?

Mr. SPALTER. Well, first I would like to thank you, Mr. Landsman, for your bipartisan agreement that this is something that we can join nationally to get more broadband to where it is needed.

By streamlining permitting with respect to our railroad rights-of-ways, we will be able to accomplish that. And your bill actually provides a pathway for us to do so. Oftentimes it is not just that we are getting prices for fees that are unmoored to reality or linked to safety, but we are also getting situations where there is indifference—

Mr. LANDSMAN. Yes.

Mr. SPALTER [continuing]. And indifference that causes delays, sometimes in months.

Mr. LANDSMAN. They don't care. It is not—

Mr. SPALTER. They don't care.

Mr. LANDSMAN. It is not top of mind for them.

Mr. SPALTER. Or it is a profit center.

Mr. LANDSMAN. Yes.

Mr. SPALTER. So thank you for your initiative, and we are going to do whatever we can to support your work.

Mr. LANDSMAN. Thank you. Anyone else?

All right. I just, you know, I appreciate the work that Mr. Joyce has put into this, and he really is a leader on permitting reform. Again, our only question is existing CBAs and making sure those are protected. But, you know, hopefully this will get done.

Thank you. I yield back.

Mr. ALLEN. The gentleman yields. Now I call on Representative Fedorchak of North Dakota—

Mrs. FEDORCHAK. Stumbles every—

Mr. ALLEN [continuing]. For your 5 minutes of questioning.

Mrs. FEDORCHAK. Fedorchak is right. You got it, Mr. Chair.

Mr. ALLEN. Did I get that right?

Mrs. FEDORCHAK. Yes, it is Fedorchak.

Mr. ALLEN. Fedorchak.

Mrs. FEDORCHAK. Yes, thank you.

Thank you all for your attention and your time today. I appreciate your leadership on these issues and your sticking with us through kind of a herky-jerky hearing schedule today. I am pleased to be here before you to talk about the Cable Expansion Act and other legislation relating to permitting reform in this important space.

September 30 is a deadline that a lot of us here are focused on in terms of budget discussions. It is also another interesting deadline. It is the day the old AOL dial-up internet sound will retire. And I mentioned that because, if you remember—and I see some nodding heads of remembrance, even some of the young folks here, if you don't remember—but what we think about when we think of that dial tone is how slow the internet was. And so I think it is important to use that as a trigger that, you know, we have made leaps and bounds in the technology since those days of that old AOL dial tone for internet connection.

AI, we have got 5G, we have got so many advances, but our permitting process is still stuck in the old, like, AOL dial tone kind of mentality. We are so stuck in that, and we have to bring our per-

mitting processes up to the modern age, and to meet the demands of the time that we are in right now where we need to get this infrastructure out quickly. So I am excited about a lot of the bills that the committee has been talking about today, and I am pleased that you all were willing to spend time talking about them with us.

A few questions. So Congress has considered legislative frameworks to steer—set clear timelines for Federal agencies to act on broadband permitting applications for some time now. I am committed to working toward lasting legislative solutions, while at the same time I believe the executive branch can do a fair amount of permitting reforms through their Executive orders that Congress can ultimately codify.

So Jonathan, would you talk to me a little bit about this? Is there a scenario where you would welcome an Executive order to implement the policies reflected before us today across all of Federal management agencies, even as Congress works to pass laws, these laws?

Mr. SPALTER. Yes, we believe this is a whole-of-government issue to solve, and an Executive order could help direct Federal land agencies to adopt clear timelines with certainty.

But at the same time, we think that it is this body, Congress, that we would prefer to actually establish a durable, bipartisan, long-term solution that will allow us to transcend administrations and make sure that the project of connecting our country to the absolute gold standard, which is fiber broadband, can happen and we no longer have to provide second-class service like the honk and screech of AOL any time—anytime.

Mrs. FEDORCHAK. Yes, honk and screech, that is good. Thank you. I appreciate that.

Mr. Halley, how would the bills before us today, including the Cable Expansion Act, help wireless providers more efficiently deploy towers, small cells, and rooftop facilities that are essential for AI-driven applications?

Mr. HALLEY. Thank you very much for the question. Your bill and many of the other bills that are being considered really are directly consistent with our three principles.

And I say it all the time, and I am going to say it again. We think these—that the process needs to be predictable. And by that I mean local regulations that are consistent with Federal law, contain objective application review criteria with clear, workable design standards.

And they need to be proportionate. Fees and levels of required review should be commensurate with the nature of the undertaking. Upgrades and modifications of existing structures shouldn't require the same review as a brand-new build.

And finally, they need to be transparent, right? We need a process where everybody understands where we are in the process and how we can work together to get the project approved.

Mrs. FEDORCHAK. Excellent, thank you. Hopefully, we can get there in a bipartisan way.

Mr. HALLEY. I think we can.

Mrs. FEDORCHAK. I am optimistic—

Mr. HALLEY. And I love talking about permitting, so this is super fun for me. So thank you.

Mrs. FEDORCHAK. Excellent. I do too.

So Staci, last question. You have described railroad crossings as a major bottleneck. How would the Cable Expansion Act, along with the RAIL Act, address these challenges and accelerate broadband projects?

Ms. PIES. I think those two bills together, working hand in hand, very much like what we are advocating for across the Government, can ensure that all providers can cross railroads in an efficient way and an effective way, guarding for safety, ensuring that liability insurance is in place.

And thinking about your legislation and the types of providers who would benefit under yours, we can have a full, all-of-the-above approach to delivering broadband. It is not dependent on a single technology, and we look forward to making sure that that happens, and we would love to continue to talk to you about that.

Mrs. FEDORCHAK. Excellent. Very good. Thank you.

Mr. Chairman, I yield back.

Mr. ALLEN. OK, we are concluded here. I don't see any more Members.

I ask unanimous—so to wrap things up, I ask unanimous consent to insert in the record the documents included on the staff hearing documents list.

Without objection, so ordered.

[The information appears at the conclusion of the hearing.]

Mr. ALLEN. Seeing there are no further Members wishing to be recognized, I would like to thank our witnesses again for being here today.

Sorry for the interruption, but we have to vote around here, so—but you all are very kind to take your time to be with us.

And I remind Members that they have 10 business days to submit questions for the record, and I ask the witnesses to respond to questions promptly. Members should submit their questions by the close of business on Thursday, October 2.

Without objection, the subcommittee is adjourned.

[Whereupon, at 5:28 p.m., the subcommittee was adjourned.]

[Material submitted for inclusion in the record follows:]

Documents for the Record – 09.18.25

1. A September 18, 2025, letter from the Association of American Railroads.
2. A September 17, 2025, letter from America's Communications Association.
3. A September 17, 2025, letter from Damage Prevention Action Center.
4. A September 17, 2025, letter from Western Governors' Association.
5. A September 18, 2025, letter from NATE.
6. A September 18, 2025, letter from PCCA.
7. A September 17, 2025 letter from NRECA.
8. An article titled, "FCC Chair Carr says 'we're not done yet' after Jimmy Kimmel suspension by ABC."
9. A September 16, 2025, letter from American Public Power Association.
10. An article titled, "Trump floats pulling licenses if networks are 'against' him after Jimmy Kimmel suspended."
11. A March 1, 2023, letter to Fox Corporation leadership from Charles Schumer and Hakeem Jeffries.
12. A February 22, 2021, article titled, "Democrats ask cable and streaming providers about their role in spreading misinformation ahead of Capitol riot."



IAN N. JEFFERIES
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September 18, 2025

The Honorable John Joyce
2102 Rayburn House Office Building
Washington, DC 20515

Dear Representative Joyce:

I write today regarding the Broadband and Telecommunications RAIL Act. I appreciate you and your staff's work on this legislation and the time they have taken to discuss this legislation throughout the process. The industry recognizes the need to deploy broadband for rural America and agrees that it must be done in a safe and efficient manner.

While broadband companies often cite isolated examples of delays and high fees, most companies attempting to access railroad property have a different experience — one rooted in safety, efficiency, and partnership. For example, one of our member railroad processes thousands of utility permit requests annually, with the average review time for complete applications at 25 days. Many permits are approved in under 30 days. Legislation must balance the goals of deploying broadband and operating a safe national rail network.

It is because of this commitment to finding the right balance that the rail industry has focused on the following key principles when reviewing this and similar legislation: safety must be the top priority; railroads must have sufficient time and information to process applications; railroads should be given fair and complete reimbursement, including reimbursement of any out-of-pocket costs to facilitate the work; and given the top priority of safety, Department of Transportation's regulations governing track and employee safety standards must be respected.

As you know, railroads not only own and control their rights-of-way, but know what lies beneath them, which can include rail communications systems, utilities, pipelines, or other buried infrastructure. Therefore, railroads have developed efficient and cost-effective processes for the safe permitting of infrastructure in, on, under, and above their rights-of-way. Railroads' existing processes have a proven track record of timely facilitating broadband deployment.

Unfortunately, from our members' experience only about 30% of submitted applications for access to railroad rights-of-way contain all the information necessary for a proper safety review

of the installation, while unauthorized installations have resulted in serious safety risks. This is why the provisions of the bill that do not allow for proper engineering review by rail infrastructure experts cause concern from a rail-safety perspective. Specifically, the process that allows broadband providers to install broadband on railroad rights-of-way after merely notifying the railroad could seriously compromise the safety of railroad employees, the workers performing the construction activities, and the communities near the track.

Again, I appreciate your engagement with the industry thus far on these important issues and urge you to continue to engage directly with railroads to understand the permitting processes, our safety protocols, and efforts to work with broadband companies. I look forward to continuing working with you on this and other issues.

Sincerely,



Ian N. Jefferies

Cc: The House Committee on Energy and Commerce Subcommittee on Communications & Technology



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ACA CONNECTS – SINCE 1993

Grant Spellmeyer, President and CEO
Direct Dial: 202-290-0233
E-Mail: gspellmeyer@acaconnects.org

September 17, 2025

The Honorable John Joyce
2102 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Joyce:

On behalf of the nearly 500 Members of America's Communications Association (ACA Connects), I want to thank you for your time and effort on the Broadband and Telecommunications RAIL Act. ACA Connects was founded in 1993 as the voice of small and mid-sized broadband and cable providers on federal legislative and regulatory telecommunication matters. It advocates for policies that allow our smaller and independent operators to thrive and deliver affordable services, particularly in rural communities. Our membership includes operations in your state and we have corporate and municipal members in all 50 states.

The work that you and your colleagues are doing to make sure that we can speed deployments, upgrades, and expanded services is vitally important and appreciated. In addition, I appreciate the time you have spent with our Members in Pennsylvania when you met with them in Pittsburgh. It is clear that you have identified a recurrent problem that our Members face that often is not recognized a major impediment to timely and low-cost deployments and upgrades to our networks. Access to public rights-of-way and rail corridors arise as problems that I hear about time and time again that result in delays and inflated costs that all impact consumers. We appreciate your effort to address this problem and look forward to working with you to get this enacted into law.

2025 is a consequential year for our Members as Congress and the Administration address a number of key issues ranging from how the BEAD program is deployed, what happens with the Universal Service Fund moving forward, permitting reforms, and even spectrum matters.

I would welcome the opportunity to visit with you at some point about how each of these items impacts the services that your communities can receive.

Thank you again for the time and leadership. The Members of ACA Connects are extremely grateful that you have prioritized your efforts to address the issues they face in deploying and serving your constituents.

Sincerely,

Grant B. Spellmeyer
President and CEO
America's Communications Association (ACA Connects)

We Are The Premier Association Delivering High-Impact Advocacy and Support.

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September 17, 2025

The Honorable Brett Guthrie
 Chairman
 Committee on Energy and Commerce
 2125 Rayburn House Office Building
 Washington, D.C. 20515

The Honorable Frank Pallone, Jr.
 Ranking Member
 Committee on Energy and Commerce
 2125 Rayburn House Office Building
 Washington, D.C. 20515

The Honorable Richard Hudson
 Chairman
 Subcommittee on Communications and
 Technology
 Committee on Energy and Commerce
 2112 Rayburn House Office Building
 Washington, DC 20515

The Honorable Doris Matsui
 Ranking Member
 Subcommittee on Communications and
 Technology
 Committee on Energy and Commerce
 2206 Rayburn House Office Bldg.
 Washington, DC 20515

Re: Subcommittee on Communications and Technology hearing, "Examining Solutions to Expedite Broadband Permitting"

Dear Chairman Guthrie, Ranking Member Pallone, Chairman Hudson and Ranking Member Matsui:

The [Damage Prevention Action Center \(DPAC\)](http://damagepreventionactioncenter.com) is writing to encourage the committee to consider including damage prevention requirements as a fundamental component of its legislative efforts to expedite broadband permitting and deployment. As the committee examines solutions to accelerate critical communications infrastructure, there is an unprecedented opportunity to ensure that rapidly deployed broadband networks can function reliably and safely for American families and businesses.

DPAC is a coalition of energy, utility and construction industry leaders advocating for public policies and industry practices that protect America's critical underground utility infrastructure and those who work and live near these important assets.¹ Our members understand that true infrastructure deployment success requires not just speed, but reliability.

The Cost of Deployment Without Damage Prevention Considerations

According to the [Common Ground Alliance's \(CGA\) Damage Information Reporting Tool \(DIRT\) Report](https://commongroundalliance.com),² damages to buried infrastructure in the U.S. costs our communities a staggering \$30 billion every year. Each of the hundreds of thousands of dig-ins to underground utilities disrupts businesses and communities, cuts off essential utility service, and can result in injuries and fatalities.

¹ Damage Prevention Action Center members: <https://damagepreventionactioncenter.com/members/>

² Common Ground Alliance's 2024 Damage Information Reporting Tool (DIRT) Report: <https://dirt.commongroundalliance.com/>



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The data reveals a particularly concerning trend: Telecommunications/cable TV work has emerged as a leading type of work involved in damages, accounting for 23% of reported infrastructure damage incidents in 2024. This means that as we accelerate broadband deployment, we must be cautious to not simultaneously create conditions that damage the very infrastructure—both communications and other critical utilities—that American communities depend on.

The Opportunity to Enhance Reliability

The legislative proposals under consideration—including regulatory streamlining, expedited permitting timelines and digital application processes—represent a transformative moment for infrastructure policy. However, these initiatives will achieve their fullest potential only if they incorporate damage prevention considerations from the outset.

[CGA's 2024 DIRT Report](#) specifically recommends that policymakers "leverage permitting processes for telecommunications installers to include mandatory damage prevention protocols." This recommendation is based on clear evidence: Telecommunications work consistently ranks among the highest contributors to infrastructure damage root causes, particularly in locating-related failures where telecom-related damages show significantly higher rates compared to other utility sectors.

Practical Solutions That Serve All Stakeholders

It is crucial to understand that broadband deployment affects far more than just broadband infrastructure. The 2024 DIRT Report shows that a significant percentage of damages involve facility operators (or their contractors) damaging each other's infrastructure and their own facilities. This means that broadband deployment without proper damage prevention policies can disrupt natural gas delivery, other telecommunications networks, electric service and water/sewer operations.

Effective damage prevention requirements are an essential efficiency measure in infrastructure deployment. When broadband installers fail to follow proper damage prevention protocols, the results include:

- Service outages affecting multiple utility types, not just telecom
- Costly repairs and deployment delays
- Safety risks to workers and the public
- Liability issues that create long-term uncertainty for providers
- Community disruption that undermines public support for infrastructure projects

The legislative framework you are developing has the potential to achieve the best of both worlds: Rapid broadband deployment that strengthens rather than compromises our overall infrastructure reliability. By incorporating damage prevention protocols into your streamlined permitting processes, you can:

- Reduce long-term deployment costs by preventing expensive damage incidents



908 King St. Ste 200
Alexandria, VA 22307
703-836-1709
damagepreventionact.com

- Improve public safety and maintain community support for infrastructure projects
- Ensure that the billions of dollars invested in broadband infrastructure deliver sustained value

DPAC stands ready to work with this Committee and Congress to integrate practical, efficient damage prevention requirements into any broadband permitting legislation. We believe this approach will not slow deployment but instead will ensure that the infrastructure we build rapidly can serve Americans reliably for decades to come.

This opportunity extends beyond simply expediting permits—it encompasses creating a framework for infrastructure development that is fast, sustainable and safe. This is truly an opportunity to demonstrate that American infrastructure policy can achieve speed without sacrificing safety, reliability or the protection of existing critical systems.

Sincerely,

A handwritten signature in black ink that reads "Sarah K. Magruder Lyle".

Sarah K. Magruder Lyle
Executive Director, Damage Prevention Action Center



SPENCER COX
GOVERNOR OF UTAH
CHAIR

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
VICE CHAIR

JACK WALDORF
EXECUTIVE DIRECTOR

September 17, 2025

The Honorable Richard Hudson
Chairman
Subcommittee on Communications
and Technology
Committee on Energy and Commerce
House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Doris O. Matsui
Ranking Member
Subcommittee on Communications
and Technology
Committee on Energy and Commerce
House of Representatives
2323 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Hudson and Ranking Member Matsui:

In light of the Subcommittee's September 18, 2025, hearing, **Examining Solutions to Expedite Broadband Permitting**, attached please find Western Governors' Association (WGA) policy resolutions 2023-07, Broadband Connectivity, and 2023-10, Infrastructure Permitting.

In the broadband resolution, Western Governors encourage federal agencies to make permitting on federal lands more efficient by prioritizing reviews, setting consistent requirements, and improving interagency coordination. Western Governors also support efforts to reduce permitting timelines for broadband infrastructure co-located with existing infrastructure, and call for additional permitting staff to prevent project delays. The permitting resolution outlines recommendations to streamline federal permitting and support the timely completion of infrastructure projects across the West.

I request that you include this document in the permanent record of the hearing, as it articulates Western Governors' collective and bipartisan policy on this important issue.

Thank you for your consideration of this request. Please contact me if you have any questions or require further information.

Sincerely,

Jack Waldorf
Executive Director

Attachments



Policy Resolution 2023-07 Broadband Connectivity

A. BACKGROUND

High-speed internet, commonly referred to as “broadband,” is the critical infrastructure of the 21st century and a modern-day necessity for businesses, individuals, schools, and government. Many rural and tribal western communities lack the business case for private broadband investment because of the high cost of infrastructure and the low number of customers in potential service areas. Factors such as the vast distances between these communities, challenging terrain, sparse middle mile and long-haul fiber-optic cable, and the need to permit and site infrastructure across federal, state, territorial, tribal, and private lands make planning, siting, and maintaining broadband infrastructure especially difficult. This has left many rural businesses and citizens at a competitive disadvantage compared to urban and suburban areas with robust broadband access.

Historically, federal broadband investment has struggled to address these inequities, due in large part to inaccurate and overstated data. Whether or not an area is considered “served” depends not only on if households have access to the internet, but also the speeds and bandwidth that they have access to. This determination has significant effects on a community’s eligibility for federal broadband infrastructure support and can prevent businesses, local governments, and other entities from applying for and securing federal funds to assist underserved or unserved communities. High-quality data is required to ensure that current public broadband deployment efforts are cost-effective and prioritize these areas, while digital inclusion efforts are needed to provide access to affordable broadband and devices and to build the digital skills to utilize broadband.

B. GOVERNORS’ POLICY STATEMENT

1. Western Governors encourage Congress and federal agencies to recognize that the current definition of broadband – 25/3 Mbps – does not correspond with the requisite download and upload speeds necessary to support many business, education, and health care applications that promote economic and community prosperity. We support efforts to adopt a higher, scalable, and consistent standard across federal broadband programs – at least 100/20 Mbps and scalable to 100 Mbps symmetrical – that more accurately reflects modern innovations and bandwidth demands.
2. Western Governors request that the Federal Communications Commission (FCC), National Telecommunications and Information Administration (NTIA), U.S. Department of Agriculture (USDA), and other federal entities prioritize scalable broadband infrastructure investments that meet communities’ increased bandwidth demands into the future. Funds for equipment maintenance and upgrades are essential to ensure that federal broadband investments continue to provide high-quality service.
3. While Western Governors are heartened by significant federal investments in broadband, principally the \$42.5 billion Broadband Equity, Access, and Deployment (BEAD) Program established through the Infrastructure Investment and Jobs Act (IIJA), it is imperative that

federal program design and implementation does not repeat the mistakes of the past. Federal funding represents a historic opportunity to close the digital divide and should help states and territories reach areas in most need of assistance. To do so, Western Governors urge the FCC, NTIA, USDA, and other federal agencies involved in broadband deployment to work closely with Governors and state and territorial agencies and respond to and address their needs and concerns prior to releasing large tranches of funding. In particular, federal agencies that make independent broadband infrastructure awards should consult with states and territories prior to finalizing awards to ensure they align with state and territorial BEAD plans.

4. Due to their unique characteristics, western states and territories have a disproportionate amount of high-cost areas to serve. Federal funding and allocation formulas should reflect the exorbitant costs and challenges that the West faces when deploying broadband so that states and territories receive adequate funding to bring sufficient internet access to as many hard-to-reach households as possible.
5. The FCC should recognize state and territorial institutional knowledge about broadband needs and ensure that they have a significant role in data collection, verification, and mapping. The FCC should also make map challenge processes transparent and give states and territories ample time and resources to participate in these processes.
6. Western Governors note that continued federal investment will be needed to shore up connectivity gaps and backfill BEAD funding. We encourage Congress to consider supplementary funding for broadband deployment, including innovative and flexible ways to redirect existing resources, such as the Rural Digital Opportunity Fund.
7. Western Governors recognize that rural communities have unique challenges related to completing broadband deployment objectives for federal grant requirements. We recommend that the federal government allow states and territories to assume control of these funds for broadband purposes if grantees do not meet their objectives. Recovering funding at the state and territorial level would help communities seek a new solution in response to a state or territorial Notice of Funding Opportunity or redirect the capital to other pressing broadband needs.
8. Streamlining permitting processes is critical for western states, territories, and partners to meet federal funding deadlines. Western Governors encourage federal agencies to pursue strategies to prioritize reviews and standardize requirements for broadband infrastructure permits on federal lands and improve planning and permitting coordination between public land management agencies. We support efforts to reduce permitting timelines for broadband infrastructure co-located with existing structures and other linear infrastructure, such as roads, transmission lines, and pipelines. The Department of the Interior (DOI) and the U.S. Forest Service's online mapping platforms identifying telecommunications infrastructure sites on their lands will be helpful tools to accomplish this goal. Further, Governors urge DOI, USDA, and other federal land management agencies to allocate sufficient funding to support additional permitting staff. Without sufficient staff, western states and territories will see backlogs and long permitting timelines that will jeopardize projects that cross federal lands.

9. Regulations affecting broadband infrastructure permitting and siting vary by state and can create additional obstacles to private and public investment. Where possible, Western Governors should work together to minimize this barrier.
10. Western Governors encourage Congress and federal agencies to address application barriers for businesses, local governments, cooperatives, tribes, and other entities involved with broadband deployment in rural communities. The Governors have highlighted substantive policy recommendations related to these barriers in our rural development policy resolution. Western Governors are also committed to sharing best practices on how to collaborate with organizations, localities, and tribes in our states and territories, and establish a strategy among these partners on applying for federal broadband programs to enhance success and reduce competition for funds.
11. Western Governors appreciate USDA and FCC efforts to promote on-farm connectivity and the growth of the precision agriculture sector, which reduces water and pesticide usage and increases productivity. We request that Congress provide additional funding to support the adoption of precision agriculture and extend connectivity from the home to the field and encourage both agencies to engage with Governors' offices, state and territorial broadband representatives, and state departments of agriculture as they pursue policy and program initiatives to support this technology.
12. Western Governors recommend that adequate wireless spectrum be allocated to support rural residential connectivity and advanced and emerging agricultural technologies.
13. Western Governors emphasize the growing importance of internet exchange points (IXPs) in promoting cost-effective, reliable broadband service in rural areas. We encourage Congress and federal agencies to promote investment in rural IXPs via applicable broadband deployment programs, legislative proposals addressing infrastructure, and other methods.
14. Western Governors encourage federal agencies to continue expanding the eligibility of electric and telephone cooperatives to pursue USDA and FCC broadband deployment program support, as cooperatives' existing infrastructure and access to rights-of-way can help promote low-cost connectivity solutions for rural communities.
15. Western Governors urge federal agencies and Congress to expand policy, programmatic, and fiscal opportunities to improve broadband connectivity on tribal lands. This includes designing federal programs in a way that promotes partnerships between tribes, states, and various broadband providers. We recommend that federal broadband programs allocate a designated portion of their available funding to supporting projects on tribal lands.
16. Western Governors encourage Congress and federal agencies to leverage community anchor institutions in rural communities to spur connectivity to surrounding areas. We support efforts to advance "to and through" policies that provide flexibility to incentivize additional private or public broadband infrastructure investment beyond connected community anchor institutions.
17. Western Governors appreciate USDA Rural Development's efforts to promote broadband connectivity across the rural West and responsiveness to our recommendations. We encourage the federal government to streamline USDA's many broadband offerings and

authorize the Rural eConnectivity Program, otherwise known as the ReConnect Program. In so doing, USDA should require ReConnect to consult with state and territorial broadband offices prior to making awards to ensure coordination with state and territorial broadband infrastructure deployment plans.

18. Western Governors support efforts to promote flexibility within the FCC E-Rate Program in order to deliver home connectivity solutions for unserved and underserved students and respond to connectivity issues associated with the COVID-19 pandemic. We encourage the FCC to support bus wi-fi and other creative efforts that seek to address the homework gap.
19. Western Governors recognize the importance of ensuring that individuals and communities have the skills, technology, and capacity to reap the benefits of our digital economy. The Digital Equity Act within the IIJA provides states with capacity grants to address needs for digital skills in newly connected communities. Western Governors encourage NTIA to speed up the review and approval process for these funds so states and territories can begin to deploy funds. Further, Governors encourage Congress and federal agencies to work with states and territories to ascertain unmet and ongoing needs for digital equity following the expenditure of capacity grant funds in 2026.
20. Notwithstanding the many federal, state, and territorial initiatives to date to bring better connectivity to communities, internet affordability remains the largest barrier to closing the digital divide. Eighteen million households have access to the internet but cannot afford to connect to it. The Affordable Connectivity Program is a foundation of states' digital equity and inclusion strategies. Over 17 million households now rely on the program to pay for their monthly home internet bill each month. Western Governors call on Congress to continue to fund this vital program, without which future infrastructure projects may be underutilized.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. The Governors direct WGA staff to work with Congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

This resolution will expire in June 2026. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.



Policy Resolution 2023-10 Infrastructure Permitting

A. **BACKGROUND**

Western states and territories face a host of challenges in balancing the protection of human health and the environment with the many needs of growing populations. Robust permitting processes help achieve that balance by ensuring environmental protection and public participation. Current permitting processes governing land management activities and infrastructure development can negatively affect the pace and scale of critically important projects: to provide wildfire mitigation and habitat improvements, to ensure safe roads and bridges, to build drinking water and wastewater capacity, to improve energy systems including transmission and distribution, to construct and place broadband and other telecommunications infrastructure, and to address supply chain shortages. These review processes can be improved and streamlined while still providing meaningful opportunities for public input and promoting a safe and healthy environment for our citizens.

B. **GOVERNORS' POLICY STATEMENT**

1. A clear, consistent, focused, and effective environmental review process is essential to protect environmental resources, ensure public participation, and facilitate timely decision making in the design, financing and execution of critical infrastructure and land management projects. Western Governors urge Congress and the Administration to streamline the review of critical infrastructure projects and land management activities, where appropriate, to achieve the goals of federal legislation that invests in improving infrastructure and enhancing ecosystem function.
2. The National Environmental Policy Act (NEPA) requires federal agencies to integrate environmental considerations into their decision-making processes, which have been defined through regulations and guidance issued by the Council on Environmental Quality (CEQ). Federal agencies' NEPA review processes should seek to comply with CEQ requirements as efficiently and effectively as possible. Litigation risk should not cause agencies to take an overly cautious approach to the permitting process. Instead, federal agencies should fully utilize existing mechanisms to streamline the environmental review process, such as any available categorical exclusions, where appropriate, while ensuring that robust consideration of environmental factors remains integral to the process.
3. CEQ should revise its guidance to direct agencies to consider only those impacts that are reasonably foreseeable and have a proximate relationship to the proposed action and also include robust socioeconomic analysis.
4. Western Governors believe Congress and the Administration should take steps to mitigate the risk of excessive project delays associated with legal challenges. Judicial review of federal decisions can significantly delay project implementation and can cause significant cost increases due to the rising cost of materials and labor. Agencies should initiate tribal, state, and county consultation in the earliest stages of the review process.

5. Federal permitting policies and efforts to streamline permitting processes should be flexible enough to meet the diverse needs of local communities. While significant investment in energy generation and transmission, transportation infrastructure, and land and water management is needed across the West, the specific types of projects pursued within each municipality, state, territory and tribe will differ based on factors including geography, geology, economy, climate, as well as the differing policy goals of each jurisdiction. Creating a robust federal permitting framework that is accommodating of the diverse natural and political landscape of the West is essential for the success of the region as a whole.
6. Western Governors are concerned that lengthy reviews in federal permitting processes are impeding states' ability to invest federal funding that would provide environmental or conservation benefits and for which individual projects are typically similar in scope, such as construction of wildlife crossings on highways or fiber for wildfire monitoring cameras. CEQ should consider how best to streamline review processes for similar projects delivering an environmental or conservation outcome to ensure that federal funds are invested effectively.
7. The Administration and Congress, in continuing to evaluate permitting processes, should consider how to make these processes more accessible to underserved or historically disadvantaged communities, small and rural communities, and recipients of smaller awards to ensure that it is cost-effective for these groups to access federal funding. For example, small communities often choose not to apply for federal funding for transportation and infrastructure improvements because of the complexity and cost of the federal permitting process as well as the cost of compliance with federal requirements.
8. Western Governors recognize the value of interagency reviews, such as reviews under Section 309 of the Clean Air Act, which authorizes the Environmental Protection Agency (EPA) to review all federal actions affecting the quality of the environment, but urge Congress and federal agencies to evaluate and address steps that may cause undue delays in permitting, including by improving coordination of federal agency activities.
9. Western Governors recognize the importance of highly qualified staff in local agency field offices that evaluate and process permitting applications. Governors are concerned by shortages of realty specialists in local field offices, especially as many staff responsible for permitting at these agencies are becoming eligible for retirement. Significant federal investment in infrastructure and land management projects increases the workload on agency staff, exacerbating existing shortages. It also increases the need for technical assistance for local communities and states applying to use federal funds. Federal land management agencies that receive funding for staffing to implement federal investments should prioritize hiring qualified permitting staff in local field offices to ensure permits are processed in a timely manner and technical assistance needs are met.
10. The Federal Infrastructure Permitting Dashboard operated by the Federal Permitting Improvement Steering Council (FPISC) adds transparency, accessibility, and agency accountability to the permitting process. The Administration and Congress should continue to empower and support the FPISC in its efforts to improve the federal permitting process. However, the FPISC, which is limited to select projects that qualify for inclusion, is only a temporary solution while comprehensive permitting reforms are developed and implemented. Fundamentally, Congress and the Administration must pursue

comprehensive reforms that increase transparency, accessibility, and agency accountability for all projects.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. The Governors direct WGA staff to work with Congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

This resolution will expire in June 2026. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.



September 18, 2025

The Honorable Brett Guthrie
Chairman
House Committee on Energy and Commerce
Washington, D.C. 20515

The Honorable Gary Palmer
Chairman
Subcommittee on Environment
House Committee on Energy and Commerce
Washington, D.C. 20515

Dear Chairman Guthrie, Chairman Palmer, and Members of the Subcommittee:

On behalf of NATE: The Communications Infrastructure Contractors Association, I am writing to express our strong support for the upcoming hearing, *“Examining Solutions to Expedite Broadband Permitting.”* We appreciate the Committee’s leadership in addressing one of the most significant bottlenecks facing broadband deployment today. Many of the current regulatory practices under its framework onerously burden the deployment of broadband and wireless infrastructure, creating unnecessary delays to deploying across the nation, especially in rural and underserved communities.

As the national trade organization representing the contractors who build, maintain, and upgrade the nation’s wireless and broadband infrastructure, we see daily how permitting delays at the federal, state, and local levels obstruct deployment—especially in rural, underserved, and high-need areas. Cumbersome regulatory requirements, unpredictable timelines, and lack of consistency impose high costs, slow down projects, and risk leaving whole communities behind.

We are encouraged to see this committee take up an agenda that will enable those on the front lines of broadband deployment to get to work. If Congress takes action on the slate of legislation before the committee, we expect our members will spend less time waiting on bureaucratic reviews and instead be able to focus on closing the digital divide in communities across the nation. Every day delayed by regulatory arbitrage is one day our crews cannot go to work. That not only delays better connectivity in parts of the US that need it, but also adds uncertainty to the men and women who are building and maintaining networks. We urge Congress to move forward on efforts that would:

- **Set clear, enforceable timelines** for issuing site permits and other authorizations for broadband deployment

- **Reduce duplicative reviews**, especially where a project has already undergone prior environmental or siting review;
- **Ensure consistency across jurisdictions** so that similar projects face similar requirements regardless of locale;
- **Minimize cost-barriers**, particularly fees, labor/time burdens, or regulatory obligations that do not relate directly to safety, environmental protection, or the public interest;
- **Prioritize deployment in underserved and rural areas**, where delays impose disproportionate burdens, both in terms of cost and lost opportunity;
- **Provide flexibility** for projects needing resilience (e.g., in wildfire zones or disaster-prone regions), recognizing that emergency communications and broadband are increasingly essential to both public safety and economic resilience.

Congress has clearly demonstrated closing the digital divide is a top priority. Making historic investments in broadband infrastructure—including via BEAD and other federal programs—represent an unprecedented opportunity. However, without permitting reform, many of these dollars will be absorbed by red tape rather than being fully deployed to connect every American.

NATE members stand ready to assist—providing data, deployment experience, technical expertise, and on-the-ground perspectives—in crafting legislation that achieves rapid, predictable, and reasonable permitting reforms. We appreciate your attention to these issues and respectfully urge timely action on the bipartisan proposals before you.

Thank you for your leadership and for holding this vital hearing. We look forward to working with you to ensure that every American has access to fast, reliable, and secure broadband in this digital age.

Respectfully submitted,



Todd Schlekeway
President & CEO

NATE: The Communications Infrastructure Contractors Association



Power & Communication Contractors Association

September 18, 2025

The Honorable Brett Guthrie
Chairman
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

The Honorable Richard Hudson
Chairman
Subcommittee on Communications and Technology
United States House of Representatives
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

The Honorable Doris Matsui
Ranking Member
Subcommittee on Communications and Technology
United States House of Representatives
Washington, DC 20515

Dear Chairman Guthrie, Ranking Member Pallone, Subcommittee Chairman Hudson, and Ranking Member Matsui:

The Power & Communication Contractors Association (PCCA) fully supports efforts by the Subcommittee on Communications and Technology to streamline the broadband permitting process.

PCCA is a national trade association representing contractors, manufacturers, and suppliers who build and repair America's power and communication infrastructure, including broadband and electric transmission, distribution, and substation facilities. PCCA members comprise roughly 85% of the construction entities performing broadband deployment and the majority of electric power infrastructure projects across the United States.

Today's hearing¹ is timely and welcome as an unprecedented amount of underground fiber installation projects will break ground next year following the forthcoming release of \$42.45 billion in broadband infrastructure funding to state broadband offices through the U.S. Department of Commerce's Broadband Equity, Access and Deployment (BEAD) program.² Fiber broadband projects funded by federal government investments—and additional, state and local government and private investments—will serve wireless towers, data centers, healthcare, agriculture, education, transportation, and government projects that drive America's economic growth and competitiveness.

PCCA's contractor members patiently waited through years of BEAD program delays that effectively froze a significant portion of public and private sector investments in fiber installation projects as stakeholders awaited clarity on federal and state/local government funding.³ Currently, PCCA members are preparing to deliver vital connectivity to rural and underserved American communities and drive economic prosperity for all through the

¹ <https://energycommerce.house.gov/posts/chairmen-guthrie-and-hudson-announce-hearing-on-streamlining-broadband-permitting>

² <https://broadbandusa.ntia.gov/funding-programs/broadband-equity-access-and-deployment-bead-program>

³ Section 60102 of the Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58), enacted in late 2021, established the BEAD program and appropriated the \$42.45 billion investment in BEAD. See CRS Report R48666, 8/29/25: <https://www.congress.gov/crs-product/R48666>

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BEAD program and other infrastructure investments from stakeholders, but they cannot afford additional needless delays caused by the broken environmental permitting process.

PCCA builders, suppliers, and other stakeholders have long-standing concerns that outdated National Environmental Policy Act (NEPA) and related Council on Environmental Quality (CEQ) regulations⁴ needlessly delay and increase the cost of critical infrastructure projects. Reforming and modernizing NEPA procedures while maintaining environmental protections will reduce costly delays and uncertainties facing PCCA members, their customers, and the public.

PCCA supports NEPA's goals to better inform federal decision-making and the public's understanding of significant environmental impacts. However, the current permitting process is broken and has become overly complex, slow, burdensome, and subject to lengthy and contested litigation, often delaying critical projects without yielding corresponding benefits.

According to recent feedback shared by PCCA member contractors, NEPA exposes simple broadband infrastructure projects, like microtrenching, boring, and plowing for fiber cable installation, to significant red tape and unexpected delays of months or even years requiring multiple federal agency reviews.

In the construction industry, time is money. When contractors bid on jobs, they provide a price to the customer based on a reasonable project timeline that accounts for labor, materials, and general conditions. Unfortunately, NEPA frequently and unexpectedly delays projects after contracts have been bid on and awarded to contractors. This creates uncertainty for contractors, material suppliers and their workforce, as well as their customers. Contractors must figure out how to efficiently manage idle project materials, equipment, and labor allocated for a project during NEPA delays without a clear timeline for resolution. In addition, significant delays allow inflation and other factors to drive up materials and labor costs. This costs PCCA member contractor customers money, eats into contractor profits, and/or adds to project bottom-line costs shouldered by ratepayers, shareholders, and taxpayers.

A significant number of PCCA members are small businesses. This is consistent with the U.S. Census Bureau and U.S. Small Business Administration's Office of Advocacy's findings that the construction industry has one of the highest concentrations of small businesses (82% of all construction firms have fewer than 10 employees) and industry workforce employment (more than 82% of the construction industry is employed by small businesses). In fact, construction companies that employ fewer than 100 construction professionals compose 99% of construction firms in the United States; they build 63% of U.S. construction, by value, and account for 68% of all construction industry employment.⁵

As discussed at a September 4 SBA Office of Advocacy roundtable⁶ concerning an ongoing Federal Communications Commission permitting reform rulemaking,⁷ small businesses have a particularly difficult time overcoming financial, materials, and labor problems caused by NEPA delays that hurt their profitability and operations. Likewise, larger contractors in this space often rely on a healthy subcontractor base. Improving the

⁴ <https://www.federalregister.gov/d/2025-15818/p-17>

⁵ U.S. Census Bureau 2019 County Business Patterns: <https://data.census.gov/cedsci/table?q=CBP2019.CB1900CBP&n=23&tid=CBP2019.CB1900CBP&hidePreview=true> and <https://www.census.gov/programs-surveys/cbp/data/tables/2019.html>. See also 2020 Small Business Profile, U.S. Small Business Administration Office of Advocacy (2020), at page 3, <https://cdn.advocacy.sba.gov/wp-content/uploads/2020/06/04144224/2020-Small-Business-Economic-ProfileUS.pdf>. See also U.S. Census County Business Patterns by Legal Form of Organization and Employment Size Class for the U.S., States and Selected Geographies: 2019, available at <https://thetruthaboutplanning.com/wp-content/uploads/2021/07/Construction-firm-size-by-employment-2019-County-Business-Patterns-Updated071321.xlsx>.

⁶ <https://advocacy.sba.gov/2025/08/21/fccs-modernization-of-national-environmental-policy-act-rules-roundtable-september-4-2025/>

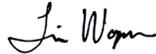
⁷ Modernizing the Commission's National Environmental Policy Act Rules, FCC WT Docket No. 25-217. <https://www.federalregister.gov/documents/2025/08/19/2025-15818/modernizing-the-commissions-national-environmental-policy-act-rules>.

NEPA process will increase transparency, reduce regulatory uncertainty, and ensure prompt decision-making to the benefit of small and large businesses. It will also create more high-paying jobs for the men and women who build fiber and broadband connectivity on behalf of PCCA's corporate members.

PCCA appreciates the committee's efforts to review almost 30 bills addressing broadband permitting. We encourage you to review PCCA's recent comments submitted to the FCC⁸ illuminating helpful permitting reforms for additional solutions and analysis recommended by industry.

PCCA looks forward to working with the committee and industry stakeholders to enact regulatory reforms and sensible policies to deliver quality broadband infrastructure projects to America. Please contact Ben Brubeck at bbrubeck@gasolutions.net if PCCA can serve as a resource to you.

Sincerely,



Tim Wagner
President and CEO
Power & Communication Contractors Association

⁸ [https://www.fcc.gov/ecfs/search/search-filings/results?q=\(proceedings.name:\(%2225-217%22\)\)&limit=100](https://www.fcc.gov/ecfs/search/search-filings/results?q=(proceedings.name:(%2225-217%22))&limit=100).



Jim Matheson
Chief Executive Officer

September 17, 2025

Chairman Brett Guthrie
House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Ranking Member Frank Pallone
House Committee on Energy and Commerce
2323 Rayburn House Office Building
Washington, DC 20515

Chairman Richard Hudson
Subcommittee on Communications and Technology
2125 Rayburn House Office Building
Washington, DC 20515

Ranking Member Doris Matsui
Subcommittee on Communications and Technology
2323 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Guthrie, Ranking Member Pallone, Chairman Hudson, and Ranking Member Matsui,

I write today to support commonsense efforts before the House Energy and Commerce Committee to address federal broadband permitting challenges, reduce regulatory red tape, and streamline and expedite rural broadband deployment efforts.

The existing federal permitting process takes too long, is too expensive, and is an impediment to the ability of broadband providers to meet the needs of their consumers and communities. Today, more than 200 rural electric cooperatives are involved in broadband deployment efforts, however many face challenges and duplicative reviews when installing fiber for both utility and retail purposes on existing infrastructure and within existing rights of way or easements. The permitting process becomes more complicated and costly when multiple federal agencies are involved, and lengthy reviews coupled with unclear timelines and administrative burdens only add to the challenges and frustrations of dealing with federal compliance.

On behalf of America's Electric Cooperatives, I want to thank you for the thoughtful consideration of the permitting challenges facing rural internet service providers and commonsense efforts to streamline broadband infrastructure deployment across the United States. Many of the permitting proposals before the Committee will alleviate the need for duplicative reviews and expedite broadband deployment, especially for projects crossing federally managed lands. Other proposals aim to add predictability and certainty to the federal permit application review timeline and will help broadband providers meet project milestones and bring long overdue service to rural communities.

Rural electric cooperatives are deeply committed to bridging the digital divide and connecting rural homes and businesses with reliable broadband service. I appreciate the Committee's attention to this important and timely issue and look forward to working with this Committee and others in Congress to streamline the broadband permitting process and close the digital divide once and for all.

Sincerely,

Jim Matheson
CEO



[Politics](#)

FCC Chair Carr says ‘we’re not done yet’ after Jimmy Kimmel suspension by ABC

PUBLISHED THU, SEP 18 2025 9:53 AM EDT | UPDATED THU, SEP 18 2025 3:35 PM EDT

[Dan Mangan](#)

KEY POINTS

- **Federal Communications Commission Chairman Brendan Carr told CNBC that ABC late-night show host Jimmy Kimmel appeared to “mislead” the American public about facts regarding Charlie Kirk’s killing in the days leading up to his show’s suspension.**
- **ABC on Wednesday said it was pulling “Jimmy Kimmel Live!” off the air “indefinitely.”**

[Federal Communications Commission](#) Chairman [Brendan Carr](#) said Thursday that ABC late-night host [Jimmy Kimmel](#) appeared to “mislead” the American public about facts regarding conservative activist [Charlie Kirk](#)’s killing in the days leading up to his show’s suspension.

Carr also told CNBC’s “[Squawk on the Street](#)” that “we’re not done yet” with the changes in “the media ecosystem” that are consequences of President [Donald Trump](#)’s election last fall.

ABC on Wednesday night said it was pulling “Jimmy Kimmel Live!” off the air “indefinitely” because of the host’s comments, which linked Kirk’s alleged killer, Tyler Robinson, to Trump’s “Make America Great Again” movement.

“The issue that arose here, where lots and lots of people were upset, was not a joke,” Carr said Thursday on CNBC.

“It was not making fun,” said Carr, who hours before Kimmel’s show was pulled off the air suggested the FCC might take action against ABC and its parent company, [Disney](#).

“It was appearing to directly mislead the American public about a significant fact that probably one of the most significant political events we’ve had in a long time, for the most significant political assassination we’ve seen in a long time,” he said.

[Utah court documents](#) filed Tuesday in connection with the murder charge against Robinson say his mother told investigators, “Over the last year or so, her son had become more political and had started to lean more to the left, becoming more pro gay and trans-rights oriented.”

Those documents also say that when Robinson was asked why he killed Kirk, “Robinson explained there is too much evil, and [Kirk] spreads too much hate.”

A day before those documents were filed, Kimmel, in his show’s [opening monologue Monday](#), said, “The MAGA Gang desperately trying to characterize this kid who murdered Charlie Kirk as anything other than one of them and doing everything they can to score political points from it.”

Trump on Wednesday evening praised Kimmel's suspension and called on NBC to cancel its own late-night shows, "The Tonight Show Starring Jimmy Fallon," and "Late Night with Seth Meyers."

"Squawk on the Street" anchor Carl Quintanilla asked Carr about that on Thursday.

"I asked earlier about Fallon and Seth Meyers, but is the president's view that they should also be taken off the air, shared by the FCC?" Quintanilla asked.

Carr replied, "I don't speak for the president."

"Our goal and our obligation here is to make sure that broadcasters are serving the public interest," Carr said.



Brendan Carr, commissioner at the Federal Communications Commission (FCC), speaks during the Semafor Innovating to Restore Trust in News Summit in Washington, DC, US, on Thursday, Feb. 27, 2025.

Kent Nishimura | Bloomberg | Getty Images

"And if there's local TV stations that don't think that running that programming does it, then they have every right under the law in their contracts to preempt it. And we'll see how this plays out."

"I do think that again, we are in the midst of a massive shift in dynamics in the media ecosystem for lots of reasons, again, including the permission structure that President Trump's election has provided," the FCC chief said.

"And I would simply say we're not done yet with seeing the consequences of that," he said.

CNBC anchor David Faber followed up on that.

"What does that mean when you say you're not done yet?" Faber asked. "Then, I mean, will you only be pleased when none of these comedians have a show on broadcast television?"

Carr replied, “No, it’s not any particular show or any particular person. It’s just we’re in the midst of a very disruptive moment right now, and I just, frankly, expect that we’re going to continue to see changes in the media ecosystem.”

Asked by anchor Jim Cramer if the U.S. government should “have someone who reviews the writers before the host says something,” Carr said, “No.”

Speaking in England on Thursday, Trump said Kimmel “said a horrible thing about a great gentleman known as Charlie Kirk, and Jimmy Kimmel is not a talented person.”

“He had very bad ratings, and they should have fired him a long time ago. So, you know, you can call that free speech or not,” Trump said. “He was fired for lack of talent.”

Kimmel has not been fired.



“Jimmy Kimmel Live!” airs every weeknight at 11:35 p.m. ET and features a diverse lineup of guests that include celebrities, athletes, musical acts, comedians and human interest subjects, along with comedy bits and a house band.

Randy Holmes | Disney General Entertainment Content | Getty Images

The president nominated Carr as FCC chair.

On Wednesday, before ABC yanked Kimmel’s show, Carr called Kimmel’s comments “truly sick” and said there was a “strong case” for action against ABC and Disney.

“This is a very, very serious issue right now for Disney. We can do this the easy way or the hard way,” Carr told right-wing commentator Benny Johnson that day. “These companies can find ways to take action on Kimmel, or there is going to be additional work for the FCC ahead.”

“They have a license granted by us at the FCC, and that comes with it an obligation to operate in the public interest,” Carr said.

Hours after Carr’s comments were reported by Johnson, [Nexstar Media Group](#) said its [stations that are affiliated with ABC](#) would preempt Kimmel’s show “for the foreseeable future” because of Kimmel’s remarks.

Nexstar is seeking regulatory approval from the FCC for its planned [\\$6.2 billion merger with Tegna](#)

About 10% of ABC affiliates are owned by Nexstar.

House Democratic leaders on Thursday called for Carr’s resignation, alleging that he had engaged “in the corrupt abuse of power.”

In a statement, the Democrats accused the FCC chairman of “bullying ABC, the employer of Jimmy Kimmel, and forcing the company to bend the knee to the Trump administration.”

Former President [Barack Obama](#), in [a post on X](#) on Thursday, said, “After years of complaining about cancel culture, the current administration has taken it to a new and dangerous level by routinely threatening regulatory action against media companies unless they muzzle or fire reporters and commentators it doesn’t like.”

“This is precisely the kind of government coercion that the First Amendment was designed to prevent — and media companies need to start standing up rather than capitulating to it,” Obama wrote.

Comcast is the parent company of NBCUniversal, which owns CNBC. Versant would become the new parent company of CNBC under a planned spinoff.

Correction: This article has been updated to correct a quote from David Faber. A previous version inadvertently omitted a word.



September 16, 2025

The Honorable Morgan Griffith
U.S. House of Representatives
2110 Rayburn House Office Building
Washington, DC 20515

Dear Representative Griffith:

On behalf of the American Public Power Association (APPA), I am writing to express opposition to H.R. 278, the BROADBAND Leadership Act.

APPA is the voice of not-for-profit, community-owned utilities that power 2,000 towns and cities nationwide. Public power utilities are in every state except Hawaii. They collectively serve over 55 million people in 49 states and five U.S. territories and account for 15 percent of all sales of electric energy (kilowatt-hours) to end-use consumers.

As drafted, H.R. 278 would expand federal control over public power utility infrastructure with serious safety implications and no guarantee that any "savings" would be passed onto customers. Public power utilities strongly support the goal of increasing broadband deployment. However, we do not believe that this legislation will accomplish that goal. Section 224 of the Communications Act explicitly exempts public power utilities (and rural electric cooperatives) from Federal Communications Commission (FCC) oversight of pole attachments given that oversight is already provided at the local level. Cable and telecommunications companies have long worked to convince the FCC and Congress that the municipal exemption from FCC oversight of pole attachment rates and regulations should be eliminated. With no evidence, they claim that local control over rates and regulations are major barriers to broadband deployment.

As community-owned, not-for-profit entities, public power utilities have no incentive to prevent their own customers from getting access to broadband services. The only reason we would deny a communications attachers' access to poles is on safety grounds. APPA would be happy to connect you with public power utilities in Virginia to give you more information on how they handle pole attachment requests at your convenience.

Again, public power utilities strongly support broadband expansion, but we do not believe that this bill will accomplish that goal. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Desmarie M. Waterhouse".

Desmarie M. Waterhouse
Senior Vice President, Advocacy & Communications and General Counsel



[Politics](#)

Trump floats pulling licenses if networks are 'against' him after Jimmy Kimmel suspended

PUBLISHED THU, SEP 18 2025 2:46 PM EDT | UPDATED THU, SEP 18 2025 4:01 PM EDT

[Dan Mangan](#)

KEY POINTS

- President Donald Trump suggested that the federal government might revoke the licenses of broadcast television networks that are "against" him.
- Trump's comment came a day after ABC suspended airing the "Jimmy Kimmel Live!" show because of comments its host made linking the alleged killer of Charlie Kirk to Trump's MAGA movement.
- Trump said it would be up to FCC Chairman Brendan Carr to decide whether to cancel networks' licenses.



U.S. President Donald Trump speaks to reporters aboard Air Force One on his way to a state visit in Britain, Sept. 16, 2025.

Kevin Lamarque | Reuters

President [Donald Trump](#) on Thursday suggested that the federal government might revoke the licenses of broadcast television networks that are “against” him.

Trump’s comment came a day after ABC suspended airing the “[Jimmy Kimmel Live!](#)” show because of comments its host made linking the alleged killer of conservative activist [Charlie Kirk](#) to Trump’s MAGA movement.

[Federal Communications Commission](#) Chairman [Brendan Carr](#) earlier on Wednesday had hinted that the broadcast license of ABC — which is a subsidiary of [Disney](#) — was at risk if it did not “take action on Kimmel.”

Speaking on Thursday to reporters aboard Air Force One, Trump said, “I have read someplace that the networks were 97% against me, again, 97% negative, and yet I won and easily, all seven swing states,” referring to his 2024 election win.

“They give me only bad publicity, press. I mean, they’re getting a license,” Trump said, according to audio from a press gaggle provided by the White House.

“I would think maybe their license should be taken away,” Trump said.

The president said that the decision “will be up to Brendan Carr.”

Trump specifically referred to criticism he has gotten from Kimmel and CBS late-night talk-show host Stephen Colbert.

“Look, that’s something that should be talked about for licensing, too,” Trump said.

“When you have a network and you have evening shows, and all they do is hit Trump,” he said.

“That’s all they do. If you go back, I guess they haven’t had a conservative on in years or something, somebody said.”

“But when you go back, take a look, all they do is hit Trump. They’re licensed. They’re not allowed to do that. They’re an arm of the Democrat party,” he said.

Carr earlier Thursday told CNBC’s “Squawk on the Street” that “we’re not done yet” with changes in “the media ecosystem” that are consequences of Trump’s election.

“I think Brendan Carr is outstanding, he’s a patriot,” said Trump, who nominated Carr to his position.

“He loves our country, and he’s a tough guy. So we’ll have to see.”

Broadcast television stations affiliated with networks, including ABC, CBS, NBC, and Fox, must receive a license from the FCC to operate because their content is transmitted over the air, and is technically free for viewers as long as they have an antenna.

That contrasts with cable TV networks, whose subscribers pay fees to distributors to watch.

— *CNBC’s [Lillian Rizzo](#) contributed to this story.*

Disclosure: Comcast is the parent company of NBCUniversal, which owns CNBC. Versant would become the new parent company of CNBC upon Comcast’s planned spinoff of Versant.

Congress of the United States
Washington, DC 20515

March 1, 2023

Rupert Murdoch
Chairman
Fox Corporation
1211 6th Ave.
New York, NY 10036

Suzanne Scott
CEO
FOX News Media
1211 6th Ave.
New York, NY 10036

Lachlan K. Murdoch
Executive Chairman and CEO
Fox Corporation
1211 6th Ave.
New York, NY 10036

Jay Wallace
President and Executive Editor
FOX News Media
1211 6th Ave.
New York, NY 10036

Dear Mr. Rupert Murdoch et al:

As noted in your deposition released yesterday, Tucker Carlson, Sean Hannity, Laura Ingraham, and other Fox News personalities knowingly, repeatedly, and dangerously endorsed and promoted the Big Lie that Donald Trump won the 2020 presidential election. Though you have acknowledged your regret in allowing this grave propaganda to take place, your network hosts continue to promote, spew, and perpetuate election conspiracy theories to this day.

The leadership of your company was aware of the dangers of broadcasting these outlandish claims. By your own account, Donald Trump's election lies were "damaging" and "really crazy stuff." Despite that shocking admission, Fox News hosts have continued to peddle election denialism to the American people.

This sets a dangerous precedent that ignores basic journalistic fact-checking principles and public accountability. This is even more alarming after Speaker McCarthy is reportedly allowing Tucker Carlson to review highly sensitive security camera footage of the events surrounding the violent January 6 insurrection.

We demand that you direct Tucker Carlson and other hosts on your network to stop spreading false election narratives and admit on the air that they were wrong to engage in such negligent behavior.

As evidenced by the January 6 insurrection, spreading this false propaganda could not only embolden supporters of the Big Lie to engage in further acts of political violence, but also deeply and broadly weakens faith in our democracy and hurts our country in countless other ways.

Fox News executives and all other hosts on your network have a clear choice. You can continue a pattern of lying to your viewers and risking democracy or move beyond this damaging chapter in your company's history by siding with the truth and reporting the facts. We ask that you make sure Fox News ceases disseminating the Big Lie and other election conspiracy theories on your network.

Sincerely,



Charles E. Schumer
Majority Leader
United States Senate



Hakeem Jeffries
Minority Leader
United States House of Representatives



Tech

Democrats ask cable and streaming providers about their role in spreading misinformation ahead of Capitol riot

PUBLISHED MON, FEB 22 2021 10:56 AM EST | UPDATED MON, FEB 22 2021 5:32 PM EST

[Lauren Feiner](#)

KEY POINTS

- Two Democratic lawmakers sent letters to several cable and streaming providers Monday, urging executives to address misinformation on their services from channels such as Fox News, OANN and Newsmax.
- Reps. Anna Eshoo and Jerry McNerney, both of California, asked the providers how they determine whether to carry a channel and how they tried to manage the spread of disinformation and incitement of violence before the Jan. 6 insurrection.



Rep. Anna Eshoo, D-Calif., speaks during a rally in the Capitol Building to call on the Senate to vote on House Democrats' prescription drugs and health care package on Wednesday, May 15, 2019.

Tom Williams | CQ-Roll Call, Inc. | Getty Images

Lawmakers are looking beyond the social media companies when it comes to cracking down on misinformation.

Reps. Anna Eshoo, D-Calif., and Jerry McNerney, D-Calif., sent [letters](#) to top executives at [AT&T](#), [Verizon](#), [Roku](#), [Amazon](#), [Apple](#), [Comcast](#), [Charter](#), [Dish](#), Cox, [Altice](#), [Google parent Alphabet](#), and [Disney-owned Hulu](#)

on Monday, urging them to address misinformation on their services. They linked disinformation and conspiracy theories to the radicalization of people who stormed the U.S. Capitol on Jan. 6 as lawmakers moved to affirm President Joe Biden's victory.

"Misinformation on TV has led to our current polluted information environment that radicalizes individuals to commit seditious acts and rejects public health best practices, among other issues in our public discourse," the lawmakers wrote in the letters.

Eshoo and McNerney asked the providers how they determine whether to carry a channel and how they attempted to manage the spread of disinformation and incitement of violence between the 2020 election and Jan. 6 insurrection. Eshoo and McNerney identified Fox News, Newsmax and One America News Network as channels that aired misinformation in the lead-up to the riot and that have spread false information about Covid-19.

The lawmakers also asked the companies if they planned to continue carrying the channels and why.

The letters show that lawmakers are still looking to hold traditional information sources accountable while they grill executives from newer platforms such as [Facebook](#)

and [Twitter](#)

over their roles in amplifying lies. The letters come ahead of a hearing Wednesday, "Fanning the Flames: Disinformation and Extremism in the Media," hosted by a subcommittee of the House Energy and Commerce Committee, on which both Eshoo and McNerney sit.

"As the most watched cable news channel throughout 2020, FOX News Media provided millions of Americans with in-depth reporting, breaking news coverage and clear opinion," the company said in a statement. "For individual members of Congress to highlight political speech they do not like and demand cable distributors engage in viewpoint discrimination sets a terrible precedent."

Representatives for the other companies named in this article did not immediately respond to requests for comment on the letters. Comcast declined to comment.

Republicans quickly pushed back on the two Democrats, with Republican Federal Communications Commissioner Brendan Carr calling it a "chilling transgression of the free speech rights that every media outlet in this country enjoys." Carr's fellow Republican Commissioner Nathan Simington echoed the same sentiment in a later statement.

A Republican aide for the House Energy and Commerce Committee said in a statement, "The Majority is flirting with violating the First Amendment. Should the government be pressuring private industries to censor legally protected content and suppress the freedom of the press? No. If a free and independent press is still valued and mainstream in America, this censorship campaign should alarm every single journalist and member of the media."

Disclosure: Comcast is the owner of NBCUniversal, parent company of CNBC.

Questions for the Record
USTelecom President & CEO Jonathan Spalter
October 17, 2020

The Honorable Tom Kean, Jr.

- 1. I think we agree it's important that local residents feel they have a voice in the process, while also make sure there aren't unfair and disproportionate obstacles to the broadband deployment that will benefit everyone. Can you speak, broadly, to what we can do to strike this balance moving forward?**

State and local authorities play a vital role and must have a seat at the table, but when impasses occur it is essential to balance local input with a national framework. There are too many examples where permitting is delayed by issues that lack operational justification. For instance, application fees imposed by state and local governments often go far beyond simply recovering administrative costs. In many cases, municipalities use permitting fees as a revenue-generating mechanism. Fees should be calibrated to reflect the actual costs of reviewing and processing permit applications—not used to balance local budgets.

- 2. More specifically, what are your ideas on how we might build a consistent, predictable framework for local jurisdictions and your members to meet in the middle and start that conversation about what's best for the communities?**

Predictability is the foundation of good planning for both communities and providers. It is important to establish national baseline standards that set clear expectations on timelines, application requirements and fee structures while still allowing for local flexibility. These standards should serve as a federal backstop in instances when impasses occur between state or local authorities and permit seekers.

The standards should include model-permitting templates, shared digital data tools for tracking applications and best-practice guides developed jointly by federal, state and local partners. The goal is to move from a patchwork of rules to a system where there is predictability and efficiency in the process. When local governments and providers operate from the same playbook, we reduce conflict, improve coordination and deliver broadband faster without sacrificing accountability or community input.



Wireless
Infrastructure
Association

October 14, 2025

Noah Jackson
Legislative Clerk
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Jackson,

Please see my answers to the submitted Questions for the Record for the September 18 "Examining Solutions to Expedite Broadband Permitting" hearing below.

The Honorable August Pfluger

In the One Big Beautiful Bill Act, Congress authorized a pipeline of 800 MHz of spectrum for commercial use. Would wireless permitting reform enhance the value of that spectrum when it comes to auction?

Yes, it would. WIA commissioned a report from the Brattle Group in February of this year to empirically evaluate the economic value of permitting reform on spectrum auctions, which I have attached for the record as well. In the report, Brattle found that the certainty provided by a consistent permitting framework increased the value of spectrum at auction by at least 9.8%. The report found that if bidders expect a 6-month delay, due to permitting or other issues, in being able to deploy the spectrum they purchase, revenue from an auction expected to raise \$50 billion would in reality raise nearly \$1.4 billion lower than it would have without delays. Certainty in wireless permitting is essential to both ensuring spectrum auctions raise the revenues Congress expects and, perhaps more importantly, enabling American consumers to take advantage of the spectrum's capabilities as soon as possible.

The Honorable Tom Kean, Jr.

In your testimony, you discussed the need for regulations that are conducive to an effective partnership with local governments. Can you speak to how this relationship with local governments has shifted over time as technological needs and capabilities have evolved? Have local views on broadband installations changed?

By and large, local governments have been a great partner to wireless infrastructure providers and carriers. Local governments are aware of the importance of connectivity for their communities and often work with WIA's members to ensure their communities get the coverage and capacity they need. Occasionally, we do run into situations where the approval process at the state and local levels can be a source of delays, often due to unclear timelines and requirements or because there are redundancies in their process. The result is those communities are often not served, lack needed capacity, or are served only after significant delay. Codifying the FCC reforms



Wireless
Infrastructure
Association

and taking steps to create a consistent, nationwide permitting framework like this legislation seeks to do will help establish clear rules of the road that ensure no community is left behind. Importantly, this legislation sets a nationwide baseline for how these jurisdictions should review applications to build communications networks. WIA and its members have had great success in working with states and localities to develop rules that respect the important role of local review while ensuring infrastructure can be timely deployed. The legislation being considered here will be the most impactful for jurisdictions that do not have these rules already to ensure government and industry have clear expectations about what is required before a project is even proposed.

One of the biggest shifts in the needs and capabilities of wireless networks is the proliferation of the neutral host model which has steadily raised in popularity for network providers since the early days of 4G. Deploying a single piece of vertical infrastructure (i.e. cell tower) that can accommodate multiple service providers reduces the visual and environmental impact of these networks while freeing up critical capital that providers have been able to invest back in their networks, expanding their reach and improving service. In fact, the prevalence of the neutral host model was a key contributor to enabling 5G networks being deployed across the country twice as quickly as the 4G revolution. The legislation considered here recognizes this major shift and ensures that applications to make modifications on the existing infrastructure, like attaching new or updated equipment, are not subject to the same lengthy review as building a new tower.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick Halley", is written over a light blue horizontal line.

Patrick Halley
President and CEO

Staci Pies, Senior Vice President of Government Affairs and Policy, INCOMPAS

Attachment — Additional Questions for the Record

The Honorable Russ Fulcher

1. In your testimony on trying to improve communication and coordination between local district rangers and agency heads when it comes to approving broadband projects, you said this demonstrates the need for a “streamlined process” that all can reference through “digital portals” or even “AI programs” that can help reduce miscommunication, delays, and other problems. Can you build on that through some examples of the ways and areas of the process such technologies can improve?
 - a. Would this digital portal be available to the broadband provider, helping them to understand the requirements of the agencies more easily when they submit an application?
 - b. Is there an area of improvement there we should consider?

INCOMPAS Response:

Absolutely. The portal should be designed with both agency and provider access in mind, offering:

- Clear, agency-specific permitting requirements.
- Interactive forms that guide applicants through the process.
- AI-driven suggestions addressing documentation needs.
- A dashboard to track progress and communicate with permitting authorities.

This transparency would reduce errors, shorten review cycles, and improve trust between providers and agencies.

Example: In recent years, permitting and deploying large-scale infrastructure, such as broadband fiber, utility lines, and data centers, has become more reliant on software workflows and automation. These tools reduce friction, enforce consistency, and enable greater scalability. Although the examples below are not INCOMPAS members, the cited organizations provide products and tools that may be informative as Congress and federal agencies consider broader permitting reform.

OpenGov is a civic permitting platform used by local and regional governments.¹ The platform helps streamline permit submissions, plan reviews, inspection scheduling, and public tracking, moving them from paper and email to structured digital workflows. Applicants submit engineering plans, attachments, and schedule inspections electronically. Agencies can then review routes, issue markups, and monitor bottlenecks to ensure efficient workflow. OpenGov’s right-of-way permitting and GIS integration features are especially useful for infrastructure projects involving roads, utilities, or conduit routing.¹

Sitetracker works at the intersection of permitting, construction, and closeout. It offers a centralized operations platform. Users can link permit dependencies to build schedules, capture field data on mobile devices, and automate closure documentation and audit trails. For projects with many permits, Sitetracker provides real-time visibility, reduces errors, and ensures closeout deliverables meet agency expectations.²

Each of these tools (or analogous systems) lays the foundation for a reliable, scalable ecosystem in which agencies and applicants interact through standardized digital exchanges rather than ad-hoc

¹ <https://opengov.com/products/permitting-and-licensing/>

² <https://www.sitetracker.com/industries/telecommunications/>

paper, email, or USB drives. To accelerate national infrastructure buildout, Congress should implement policy measures that incentivize states and local jurisdictions to adopt interoperable permitting platforms. Additionally, grant or funding programs can be structured to incentivize applicants to use or be compatible with such platforms as a prerequisite for funding.

The Honorable Tom Kean, Jr.

1. You discussed how AI tools could be leveraged by federal agencies to improve their permitting processes. What might these tools look like, and can local jurisdictions do the same?

INCOMPAS Response

INCOMPAS members and partners are already developing and deploying tools that demonstrate the feasibility and value of digital permitting and AI-assisted review. For example, Microsoft's Copilot permitting solution shows that the private sector is ready to support a modernized permitting system. These tools can reduce delays, improve transparency, and help both federal and local agencies manage the growing volume and complexity of broadband and AI infrastructure projects.

Microsoft has developed a Copilot-based permitting solution³ that uses AI to:

- Interpret local regulations.
- Draft and complete permitting documents.
- Compare permitting requirements across jurisdictions.
- Generate environmental impact statements and hazard assessments.

This solution is already being used in the energy and infrastructure sectors and could be adapted for broadband and AI infrastructure permitting.

2. With these evolving technologies in mind, are there any steps Congress should take to make sure we're "future proofing" permitting processes to accommodate further technological development and changing broadband needs?

INCOMPAS Response

Yes. Congress can take several steps to accommodate further technological development and changing broadband needs in permitting:

- Codify digital permitting standards across federal agencies.
- Encourage AI-readiness by supporting pilot programs that test AI tools in permitting workflows.
- Mandate periodic reviews of permitting processes to ensure they reflect current infrastructure needs, including fiber, energy corridors, and AI data centers.

³ <https://aimagazine.com/news/microsoft-uses-ai-to-tackle-clean-energy-permit-bottleneck>