

**Opening Statement of the Honorable Greg Walden  
Subcommittee on Communications and Technology  
Hearing on “Breaking Down Barriers to Broadband Infrastructure Deployment”  
October 28, 2015**

*(As Prepared for Delivery)*

Yesterday, this subcommittee met to discuss how the President’s policy on applying monopoly-era Title II regulations on high-speed networks has dampened private investment in broadband infrastructure. In light of this, I believe that it is more important than ever to do everything else we can to remove the uncertainties and delays that hinder the deployment of communications networks and the availability of broadband to all Americans. These are important goals regardless of the outcome of the current court battle over Title II. Today’s hearing will focus on reviewing bipartisan legislation to accelerate permitting processes, open up available infrastructure, and cut down on uncertainty and delay.

There is no question that networks are racing to keep up with consumer demand. The Cisco Virtual Networking Index predicts that by 2019, the Internet of Things will increase the load on our networks exponentially, pushing us toward the two zettabyte per year mark – that’s 12 times more data than we used in 2009. Streaming video, wearables, and machine-to-machine communication are only a few of the developments vaulting network use skyward. And that’s just based on what we know now; it is impossible to predict what innovations will cause us to increase our data consumption by another exponential factor.

We need to ensure that our federal policies allow networks to manage the growing tidal wave of data consumption, and this subcommittee has been approaching this issue from at least two perspectives. First, we have reviewed the availability of spectrum and continue to consider ways to make more spectrum available for commercial broadband use. Let me be clear, our work on spectrum is far from over.

Second, we must consider ways to lower the cost of deployment, to make investment in infrastructure more attractive to network operators. Yesterday, this subcommittee heard from economists on the different challenges associated with return on incremental investment – that is whether companies will invest in upgrades and expansion. Today, we’ll consider the other side of the equation: the sunk costs.

We’re focusing on lowering the costs of deployment by considering legislation that would help to streamline red tape in permitting and by providing access to existing infrastructure that would help to reduce costs by eliminating delay and uncertainty in deployment.

Specifically, we will consider a bill that would require the government to maintain a database of federal assets. This is a step that many in the Administration have already called for. This database would allow infrastructure providers to quickly determine efficient routes for laying fiber or attaching antennas; it would provide points of contact to allow infrastructure providers to identify their negotiating partners. We will also consider how to ensure that agencies make broadband infrastructure permitting a priority – by requiring the Senior Real Property Officer of each land-holding agency accountable for the performance of the agency in this respect.

We are also considering a bill to ensure that poles owned by federal entities become available to broadband infrastructure providers at the statutorily regulated rate. Poles have been an essential input to the deployment of telephone and cable services, and they continue to be essential inputs to broadband infrastructure; stringing wire on poles can be much more economical than burying fiber in city streets. This legislation allows us to explore the possibility of increasing access to federally owned poles as well as clarifying the rates and placement of poles across the country.

We will also review H.R. 3805, a bill introduced by the Ranking Member of this Subcommittee with myself and most of this Subcommittee. The Broadband Conduit Deployment Act is a sensible idea that many in the broadband industry have recommended. The bill will require States to evaluate the need for broadband conduit whenever they dig up the roads for a federal funded project. Simply having that conduit installed in the roads already will reduce the costs of broadband deployment significantly.

This Subcommittee will also take on the project of streamlining the permitting processes for federal agencies with significant control over federal lands. One of the concerns most frequently expressed by those seeking to deploy broadband infrastructure is that permitting processes are inconsistent from field office to field office or from army base to army base. We will consider a bill to address the inconsistencies by requiring the Department of the Interior, the Forest Service, and the Department of Defense to streamline and standardize their permitting processes, making them as efficient as possible for those seeking to provide broadband service.

We also have a draft bill before us today that streamlines the agency-required reviews under the National Historic Preservation Act and under the National Environmental Protection Act. This draft bill would seek to eliminate duplicate Section 160 and NEPA reviews, striking a balance between protecting our cultural and environmental treasures and accelerating the pace of broadband infrastructure permitting.

Last but not least, we will continue the good work started in the 112<sup>th</sup> Congress in the Spectrum Act. We required GSA to develop master contracts, forms, and fee schedules for the attachment of antennas to federal properties. We have a draft bill before us that makes clear that we expect agencies to use those master contracts, forms, and fee schedules.

I'd like to thank our witnesses today for taking the time to comment on the legislation and to help us understand how we can improve the legislation as we move on to the next steps. Our intent is to maintain an open and interactive process in drafting this legislation so that we can strike the right balances and arrive at the right policies for spurring broadband deployment.

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