

Opening Statement of the Honorable Greg Walden
Subcommittee on Communications and Technology
Markup of a Draft Bill on Broadband Infrastructure Deployment and the Federal Spectrum
Incentive Act
December 2, 2015

(As Prepared for Delivery)

I am pleased that this Subcommittee is meeting today to mark-up much needed legislation to speed the deployment of broadband infrastructure across this nation. As we heard in our hearings on this topic, building networks is not for the faint of heart. It takes careful planning, significant capital, and constant reinvestment in physical plant as technologies evolve.

Since 1996, the private sector has invested over \$1.4 trillion in communications networks, adding more than 6 million U.S. jobs to the American economy, and ultimately accounting for over \$684 billion of the U.S. economic output. As a nation, we cannot afford to stop investing in our communications networks, and yet, network infrastructure builders continue to face unnecessary hurdles when they seek to trench fiber or build towers, particularly as they seek to cross federal lands to provide services to those folks, who are hardest to reach.

This Subcommittee has heard from witnesses who reported on costly, unexplainable delays when seeking permission from the federal government to cross rights-of-ways – many of which have already been developed; we've heard of the inconsistent application of rules and regulations from agency to agency and from office to office within the same agency; and we've heard about the costs that the unpredictable and the unexpected inflict on those looking to expand broadband.

The loser in this process isn't the broadband provider; it's the American economy and each incremental American household that must wait unnecessarily for the benefits of broadband that pay the price for sluggish bureaucracy.

The draft bill before us represents a bipartisan effort to increase the efficiency of agencies, particularly the Department of the Interior, in processing applications for access to rights of way. The legislation contains commonsense proposals for time limits, application tracking, and uniformity of procedures across the various agencies and field offices scattered across our nation. The legislation requires agencies to be accountable for the efficiency with which they process permitting applications.

This draft bill also works to improve information on where providers can deploy by establishing a national inventory of federal assets on which fiber can be hung, antennas can be attached, or wires can be trenched. Combined with the language of H.R. 3805, the Broadband Conduit Deployment Act, which requires certain federally funded highway projects to include conduit for communications facilities, this draft bill will provide a true roadmap for deploying 21st century information infrastructure.

It is important to remember that this bill is a discussion draft. I am aware that there are significant concerns on the part of electric utilities with respect to the proposed changes to utility pole attachments. While we seek to promote broadband deployment, that should not come at a cost to electric utilities ratepayers. It is my understanding that bipartisan committee staff have been working with the utilities to ensure that their concerns are heard and that the bill that is moved out of the Committee at the end of our markup process meets the needs of utilities and broadband providers, alike.

In addition to the broadband infrastructure bill, the subcommittee will consider H.R. 1641, the Federal Spectrum Incentive Act. H.R. 1641 is the product of bipartisan consultation and collaboration between our colleagues Mr. Guthrie and Ms. Matsui and this is the second congress in which we will consider this important legislation. This legislation contains creative proposals to encourage federal agencies to manage existing allotments of spectrum more efficiently and cede the remainder to the commercial sector. Allowing federal entities to participate in an incentive auction could provide the necessary capital

to offset relocation or improve the efficiency of agency use. H.R. 1641 continues this subcommittee's work to provide as many high-quality legislative tools as possible to improve government spectrum efficiency and bring spectrum to market to meet our nation's wireless broadband demand.

The United States is a world leader in broadband – both fixed and mobile. These two bills are commonsense legislation that will remove unnecessary barriers to increasing broadband deployment and improve Internet access in the home and on the go. I am proud of this subcommittee's work on these issues and the bipartisan cooperation we have enjoyed working together to improve broadband Internet access for all Americans. I thank my colleagues and urge you to vote to favorably report these bills to the full Energy and Commerce Committee.

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