

**H.R. 3283, H.R. 3299, H.R. 5401,
H.R. 6012, H.R. 7976, AND H.R. 8012**

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON FEDERAL LANDS

OF THE

COMMITTEE ON NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

Tuesday, July 9, 2024

Serial No. 118–134

Printed for the use of the Committee on Natural Resources



Available via the World Wide Web: <http://www.govinfo.gov>
or

Committee address: <http://naturalresources.house.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

56–224 PDF

WASHINGTON : 2025

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HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: Subcommittee on Federal Lands Republican Members

From: Subcommittee on Federal Lands; Aniela Butler, Jason Blore, Brandon Miller, and Colen Morrow—Aniela@mail.house.gov, Jason.Blore@mail.house.gov, Brandon.Miller@mail.house.gov, and Colen.Morrow@mail.house.gov; x6-7736

Date: Tuesday, July 9, 2024

Subject: Legislative Hearing on 6 Bills

The Subcommittee on Federal Lands will hold a legislative hearing on 6 bills:

- H.R. 3283 (Rep. Miller-Meeks), “*Facilitating DIGITAL Applications Act*”;
- H.R. 3299 (Rep. Cammack), “*DIGITAL Applications Act*”;
- H.R. 5401 (Rep. D’Esposito), “*9/11 Memorial and Museum Act*”;
- H.R. 6012 (Rep. Carbajal), “*Fire Safe Electrical Corridors Act of 2023*”;
- H.R. 7976 (Rep. Holmes Norton), “*Civil War Defenses of Washington National Historical Park Act*”; and
- H.R. 8012 (Rep. Waltz), “*Jackie Robinson Commemorative Site Act*”.

The hearing will take place on **Tuesday, July 9, 2024, at 10:15 a.m. in room 1324 Longworth House Office Building.**

Member offices are requested to notify Will Rodriguez (Will.Rodriguez@mail.house.gov) by 4:30 p.m. on Monday, July 8, 2024, if their Member intends to participate in the hearing.

I. KEY MESSAGES

- The Republican bills on today’s hearing will ensure broader access to the digital world of the future and bolster our understanding of the past by supporting important historical and commemorative sites across the country.
- Legislation offered by Representatives Miller-Meeks and Cammack would expand high-speed internet access by streamlining the application process for broadband development on federal lands and creating a reporting mechanism to monitor agency progress toward that goal.
- Bills sponsored by Representatives D’Esposito and Waltz would support sites that are integral to American history. Representative D’Esposito’s legislation would provide a one-time grant to support the 9/11 Memorial & Museum in New York City, New York, while Representative Waltz’s legislation would designate the Jackie Robinson Ballpark in Daytona Beach, Florida, as a national commemorative site.

II. WITNESSES

Panel I (Members of Congress):

- To Be Announced

Panel II (Administration Officials and Outside Experts):

- Mr. Chris French, Deputy Chief—National Forest System, U.S. Forest Service, Washington, DC [H.R. 3283, H.R. 3299, H.R. 6012]
- Mr. Mike Caldwell, Associate Director—Park Planning, Facilities, and Lands, National Park Service, Washington, DC. [H.R. 3283, H.R. 3299, H.R. 5401, H.R. 7976, H.R. 8012]
- Mr. Joe Quinn, Visionary Network Member, National September 11 Memorial & Museum, New York City, New York [H.R. 5401]
- Mr. Michael Romano, Executive Vice President, NTCA—The Rural Broadband Association, Arlington, Virginia [H.R. 3283, H.R. 3299]
- Mr. Jim Jaworski, General Manager, Daytona Tortugas, Daytona Beach, Florida [H.R. 8012]

III. BACKGROUND

H.R. 3283 (Rep. Miller-Meeks), “Facilitating DIGITAL Applications Act”

An affordable and reliable connection to high-speed internet, or broadband, is vital to many aspects of modern life.¹ Broadband access requires the support of various technologies, including cable, telephone wire, fiber, satellite, and mobile and fixed wireless transmitters.² From online education to telemedicine and ecommerce, essential activities, experiences, and interactions increasingly occur online.³ For large segments of the population, however, the transition into the digital world remains elusive.⁴ Deploying broadband technology in rural areas presents challenges due to lower population densities, vast distances, and rugged topography.⁵ To reach rural and tribal areas, much of this infrastructure must be installed on federal land.⁶ However, broadband providers must endure burdensome permitting requirements and application processes imposed by federal, state, and local governments.⁷ These regulatory hurdles raise the costs of, and bring delay and uncertainty to, broadband development plans.⁸ As a result, rural and tribal areas “tend to lag behind urban and suburban areas in broadband deployment and the speed of service offered.”⁹ This discrepancy in broadband accessibility is so pronounced it now broadly known as the “digital divide.”¹⁰

The Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) process the most applications and communications use authorizations to install communications facilities on federal property.¹¹ Communications use authorizations are requests for easements, rights-of-way, leases, or other authorizations “to locate or modify a transmitting device, support structure, or other communications facility” on public lands.¹² Presently, USFS manages over 1,400 communications sites and administers more than 4,000 communications use authorizations on national forests and grasslands.¹³ Communications facilities support over 10,000 “wireless uses” for governments, utility companies, private businesses, and individuals.¹⁴ Similarly, on

¹ Colby Leigh Rachfal, “The Digital Divide: What Is It, Where Is It, and Federal Assistance Programs,” Congressional Research Service, March 9, 2021, <https://crsreports.congress.gov/product/pdf/R/R46613>.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ Colby Leigh Rachfal, “The Digital Divide: What Is It, Where Is It, and Federal Assistance Programs,” Congressional Research Service, March 9, 2021, <https://crsreports.congress.gov/product/pdf/R/R46613>.

⁶ “Special Uses—Communications Uses,” U.S. Department of Agriculture, U.S. Forest Service, <https://www.fs.usda.gov/managing-land/special-uses/communications-uses>. Streamlining Federal Siting Working Group Final Report, FCC Broadband Deployment Advisory Committee, January 24, 2018, <https://www.fcc.gov/sites/default/files/bdac-federalsiting-01232018.pdf>.

⁷ Streamlining Federal Siting Working Group Final Report, FCC Broadband Deployment Advisory Committee, January 24, 2018, <https://www.fcc.gov/sites/default/files/bdac-federalsiting-01232018.pdf>.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ “Broadband Deployment: Agencies Should Take Steps to Better Meet Deadline for Processing Permits,” U.S. Government Accountability Office, April 10, 2024, <https://www.gao.gov/products/gao-24-106157#>.

¹² *Id.*

¹³ “Communication Uses—Wireless Uses,” U.S. Department of Agriculture, U.S. Forest Service, <https://www.fs.usda.gov/managing-land/special-uses/communications-uses/wireless-uses>.

¹⁴ *Id.*

public lands, BLM administers more than 1,500 communications sites and has authorized the installation and operation of more than 4,000 additional communications facilities.¹⁵

Despite these figures, the Department of the Interior (DOI) and USFS impose formidable regulatory barriers to broadband deployment.¹⁶ Before they can construct or operate the necessary facilities on federal land, broadband providers must typically participate in a pre-application meeting, complete the Standard Form 299 application materials, and undergo extensive review periods.¹⁷ The agencies face a statutory requirement to grant or deny these applications within 270 days.¹⁸ In practice, however, this process can be much lengthier. The U.S. Government Accountability Office (GAO) recently reported that roughly half of the communications use applications submitted to the BLM and USFS from fiscal year (FY) 2018 to FY 2022 either exceeded the 270-day deadline or lacked sufficient data to conclude whether the deadline had been met.¹⁹ Broadband developers report that fiber deployment in rural areas takes, on average, between five to 10 years to complete.²⁰ These lengthy wait times dissuade many would-be-providers from even applying in the first place. Without lowering these obstacles, the “digital divide,” and its harmful consequences, will persist.

Expanding public access to broadband requires making targeted and complementary reforms to the existing regulatory system. H.R. 3283 seeks to ameliorate these challenges by making transparent key federal efforts to streamline broadband deployment in rural and tribal areas.

Specifically, the bill would require the National Telecommunications and Information Administration (NTIA) to regularly report to Congress on the extent to which DOI and USFS established online portals for accepting, processing, and disposing of a Form 299 for communications use authorizations.²¹ H.R. 3283 requires the NTIA to submit these reports every 60 days until the portals are established.²² Such reporting would allow for improved tracking of efforts to deploy broadband on federal land.²³ This bipartisan legislation is sponsored by Representative Mariannette Miller-Meeks (R-IA-01) and cosponsored by Representative Debbie Dingell (D-MI-06).

H.R. 3299 (Rep. Cammack), “DIGITAL Applications Act”

H.R. 3299 is complementary legislation to H.R. 3283. Whereas H.R. 3283 requires reports on online portals for processing Form 299s for communications use authorizations, H.R. 3299 sets the requirement for DOI and USFS to establish these separate online portals.²⁴ The legislation also requires DOI and USFS to notify the NTIA within three business days of establishing their respective portals.²⁵ After that, the NTIA must create links to those portals from its own website.²⁶ Together, these provisions create an online, “one-stop-shop” for applicants to apply for communications use authorizations from federal land managers.²⁷ In the process, the bill

¹⁵ “Communications Sites,” U.S. Department of the Interior, Bureau of Land Management, <https://www.blm.gov/programs/lands-and-realty/communication-sites>.

¹⁶ Streamlining Federal Siting Working Group Final Report, FCC Broadband Deployment Advisory Committee, January 24, 2018, <https://www.fcc.gov/sites/default/files/bdac-federalsiting-01232018.pdf>.

¹⁷ “Communications Sites,” U.S. Department of the Interior, Bureau of Land Management, <https://www.blm.gov/programs/lands-and-realty/communication-sites>.

¹⁸ “Broadband Deployment: Agencies Should Take Steps to Better Meet Deadline for Processing Permits,” U.S. Government Accountability Office, April 10, 2024, <https://www.gao.gov/products/gao-24-106157#>.

¹⁹ *Id.*

²⁰ Linda Hardesty, “Whoa—the fiber permitting process could crush digital divide dreams,” Fierce Network, December 9, 2021, <https://www.fierce-network.com/broadband/whoa-fiber-permitting-process-could-crush-digital-divide-dreams>.

²¹ H.R. 3283, 118th Congress, <https://www.congress.gov/bill/118th-congress/house-bill/3283?s=8&r=1>.

²² *Id.*

²³ “Iowa Rep. Miller-Meeks introduces bill to expedite broadband expansion,” CBS News, May 16, 2023, <https://cbs2iowa.com/news/local/iowa-rep-miller-meeks-introduces-bill-to-expedite-broadband-expansion>.

²⁴ H.R. 3299, 118th Congress, <https://www.congress.gov/bill/118th-congress/house-bill/3299?s=6&r=1>.

²⁵ *Id.*

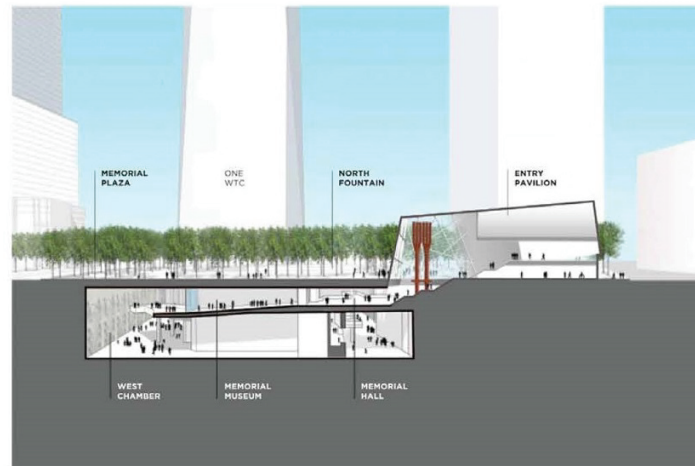
²⁶ *Id.*

²⁷ “Reps. Cammack, Matsui Introduce H.R. 3299, Bipartisan DIGITAL Applications Act To Close Digital Divide,” The Office of Congresswoman Kat Cammack, May 16, 2023, <https://cammack.house.gov/media/press-releases/rep-cammack-matsui-introduce-hr-3299-bipartisan-digital-applications-act>.

promises to bring transparency and accountability to an important application system. This bipartisan legislation is sponsored by Representative Kat Cammack (R-FL-03) and co-sponsored by Representative Doris Matsui (D-CA-07).

H.R. 5401 (Rep. D’Esposito), “9/11 Memorial and Museum Act”

The National September 11 Memorial & Museum is located in lower Manhattan at the site of the former World Trade Center in New York City. Also known as the 9/11 Memorial & Museum, this unique facility serves as the principal tribute of remembrance and honor to the nearly 3,000 people killed in the terrorist attacks at the World Trade Center site on September 11, 2001. It also honors the six victims killed in the World Trade Center bombing on February 26, 1993. Since its dedication on September 11, 2011, the Memorial has attracted more than 72 million visitors, while the nearby Museum has drawn over 22 million visitors since opening to the public in 2014.²⁸ The World Trade Center Foundation, Inc., a private, not-for-profit organization, operates the 9/11 Memorial & Museum. In fulfilling its important mission, the 9/11 Memorial & Museum has shouldered substantial costs. Construction of the facility totaled \$700 million and operating expenses are approximately \$111 million annually.²⁹ Security for the premises, which must always be sustained at high levels, costs approximately \$1 million per month.³⁰



The footprint of the Memorial and Museum in relation to the One World Trade Center.

Source: Davis Brody Bond, no date.

After nearly 23 years since the 9/11 attacks, it has grown increasingly important to educate younger generations about the tragic events of that day, the national response the attack elicited, and the broader consequences of terrorism.³¹ Yet the passage of time also makes funding more difficult to obtain.³² In the face of diminishing financial support, the 9/11 Memorial & Museum may also find itself vulnerable to increased security risks.³³ Accordingly, H.R. 5401 provides a one-time grant—from \$5 million to \$10 million—from the Department of Homeland Security

²⁸ “Financial & Legal Information,” National September 11 Memorial & Museum, 2023, <https://www.911memorial.org/financial-legal-information>.

²⁹ National September 11 Memorial & Museum at the World Trade Center Foundation, Inc. IRS Form 990 2019. <https://911memorial.org/sites/default/files/inline-files/2019%20Nal911%20Form%20990%20-%20Public%20Inspection%20Copy.pdf>.

³⁰ Josh Christenson, “Rep. Anthony D’Esposito floats up to \$10M grant for 9/11 Memorial,” The New York Post, September 11, 2023, <https://nypost.com/2023/09/11/ny-rep-desposito-floats-up-to-10-million-grant-for-9-11-memorial/>.

³¹ Annual Report: 2023, 9/11 Memorial & Museum, <https://911memorial.org/sites/default/files/inline-files/2023%20Annual%20Report.pdf>.

³² *Id.*

³³ Josh Christenson, “Rep. Anthony D’Esposito floats up to \$10M grant for 9/11 Memorial,” The New York Post, September 11, 2023, <https://nypost.com/2023/09/11/ny-rep-desposito-floats-up-to-10-million-grant-for-9-11-memorial/>.

to assist the 9/11 Memorial & Museum defray its significant costs.³⁴ Grant funding would come out of appropriations to the Department of Homeland Security. Specifically, the authorized funding would help the 9/11 Memorial & Museum continue operations, increase safety measures, and provide free admission for military veterans, first responders, and victims' families.³⁵ This legislation is sponsored by Representative Anthony D'Esposito (R-NY-04) and 37 additional bipartisan cosponsors.³⁶

H.R. 6012 (Rep. Carbajal), “Fire Safe Electrical Corridors Act of 2023”

Overgrown, unhealthy, and fire-prone federal forests are tinderboxes that pose significant threats to Western communities in the wildland-urban interface. Downed hazard trees within utility rights-of-way (ROW) remain one of the biggest ignition threats and have sparked some of the most significant and deadly fires in the country's history. For example, the largest single wildfire in California state history, the Dixie Fire, ignited when a tree fell onto electrical lines.³⁷ Catastrophic fires in Maui and Texas over the last two years have also been linked to downed utility lines.³⁸ To address these threats, utility companies attempt to maintain clear ROW and fell hazard trees within their utility corridors under a special use permit from the USFS. To dispose of the felled timber, however, utilities companies are currently required to go through a lengthy timber sale process.³⁹ This frequently leads to wood waste stacking up in piles and not being removed, further heightening wildfire risk. This unnecessarily costly and time-consuming process for removing hazard trees in needlessly preventing active management in some of the highest risk areas of our national forests.⁴⁰ H.R. 6012, the “Fire Safe Electrical Corridors Act,” would allow USFS to permit utility companies to fully remove hazard trees and other vegetation within the vicinity of distribution or transmission lines without going through a separate timber sale. If the utilities eventually sell the used material, this legislation requires the proceeds to be returned to USFS, accounting for any transportation costs. This bipartisan legislation is sponsored by Representative Salud Carbajal (D-CA-24) and co-led by Representative Lori Chavez-DeRemer (R-OR-05).

H.R. 7976 (Rep. Holmes Norton), “Civil War Defenses of Washington National Historical Park Act”

By the end of the Civil War, the nation's capital was heavily fortified by “68 forts, supported by 93 detached batteries for field guns, 20 miles of rifle pits, and covered ways, wooden blockhouses at three key points, 32 miles of military roads, several stockaded bridgeheads, and four picket stations.”⁴¹ These forts and defenses not only protected the residents of Washington, D.C. but “many enslaved people came to the fort system for protection and settled nearby.”⁴² Today, the remaining sites are collectively known as the “Civil War Defenses of Washington” (CWDW) and are dispersed among Washington, DC, Maryland, and Virginia. 17 of the original forts associated with the CWDW are managed by the National Park Service (NPS), with other sites under state, local, or private ownership.⁴³ Collectively, these sites tell an

³⁴ H.R. 5401, 118th Congress, <https://www.congress.gov/bill/118th-congress/house-bill/5401?s=2&r=1>.

³⁵ Josh Christenson, “Rep. Anthony D'Esposito floats up to \$10M grant for 9/11 Memorial,” The New York Post, September 11, 2023, <https://nypost.com/2023/09/11/ny-rep-desposito-floats-up-to-10-million-grant-for-9-11-memorial/>.

³⁶ H.R. 5401, 118th Congress, <https://www.congress.gov/bill/118th-congress/house-bill/5401?s=2&r=1>.

³⁷ Tim Stelloh “California's massive Dixie Fire ignited after tree fell on PG&E electrical lines, officials say,” NBC News, January 4, 2022, <https://www.nbcnews.com/news/us-news/californias-massive-dixie-fire-ignited-tree-fell-pge-electrical-lines-rcna10973>.

³⁸ “Preliminary After-Action Report: 2023 Maui Wildfire,” U.S. Fire Administration February 8, 2024, <https://www.usfa.fema.gov/blog/preliminary-after-action-report-2023-maui-wildfire/>. Kane Wells, “500+ structures destroyed by Smokehouse Creek fire,” Reinsurance News, March 4, 2024, <https://www.reinsurancene.ws/500-structures-destroyed-by-smokehouse-creek-fire/>.

³⁹ *Id.*

⁴⁰ “Creating Fire-Safe Electrical Corridors,” Northern California Power Agency, February 2024, https://republicans-naturalresources.house.gov/UploadedFiles/NCPA_Creating_Fire-Safe_Electrical_Corridors_Issue_Paper_2024.pdf.

⁴¹ “History & Culture,” Civil War Defenses of Washington, NPS, <https://www.nps.gov/cwdw/learn/historyculture/index.htm>.

⁴² *Id.*

⁴³ NPS's own accounts on this number vary, with some NPS sources citing 17 under ownership and some sources citing 19. 18 sites are included in H.R. 7976. “The Capital Can't Be Taken!,” Civil War Defenses of Washington, NPS, <https://www.nps.gov/cwdw/learn/historyculture/index.htm>.

important story about the Civil War and the efforts of the Union Army to make the nation's capital "one of the most heavily fortified cities of the world."⁴⁴ They also serve as hallowed reminders of the sacrifices made to protect democracy, freedom, and the union during the Civil War.

H.R. 7976 redesignates the CWDW as the "Civil War Defenses of Washington National Historical Park." National Historical Parks (NHP) are considered the most appropriate designation for NPS units with multiple historic sites included within the boundaries. Included in this designation are 18 federally owned forts or batteries. The bill designates four additional areas as affiliated units with the CWDW NHP. The bill requires several studies to evaluate potential additional areas for inclusion or affiliation with the NHP, as well as a study on broader Civil War history. This legislation will ensure the rich and storied history associated with the CWDW carries on through generations and told in a more holistic, organized, and cohesive manner.

H.R. 8012 (Rep. Waltz), "*Jackie Robinson Commemorative Site Act*"



Jackie Robinson Ballpark.

Source: City of Daytona Beach, Florida, no date.

In 1946, Brooklyn Dodgers manager Branch Rickey invited Jackie Robinson to spring training in Daytona Beach, Florida, following a standout college baseball career.⁴⁵ At the time, Jim Crow laws prevented integrated baseball throughout the South. However, Rickey worked with city officials and convinced the mayor to provide an exception for Robinson. On March 17, 1946, the first racially integrated spring training game was played at what is today known as the Jackie Robinson Ballpark in Daytona Beach.⁴⁶ Throughout the rest of spring training, many games outside of Daytona Beach were canceled, despite high demand from many tourists to support Robinson in the stands.⁴⁷ Robinson would go on to lead the Montreal Royals, the Triple-A affiliate of the Brooklyn Dodgers, to a minor league championship later that year.⁴⁸ Following this success, on April 10, 1947, Jackie Robinson signed his first National League contract. Five days later, Robinson would make his Major League Baseball (MLB) debut in front of over 26,000 spectators at Ebbets Field in Brooklyn. In doing so, Robinson broke the MLB's color barrier, becoming the league's first African American to play in an MLB game in the modern era.⁴⁹ He would go on to finish his career with a .311 batting average, amass over 1,500 hits, and become a six-time all-star.⁵⁰

⁴⁴ *Id.*

⁴⁵ Bill Schumann, "Why the First Racially Integrated Spring Training in Modern Professional Baseball Took Place in Daytona Beach in 1946", <https://jackierobinsonballpark.com/>.

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ Farrell Evans, "6 Decades Before Jackie Robinson, This Man Broke Baseball's Color Barrier", History.com, <https://www.history.com/news/monks-fleetwood-walker-first-black-mlb-player>.

⁵⁰ "Robinson Debuts Five Days After Signing with Dodgers," National Baseball Hall of Fame, <https://baseballhall.org/discover/inside-pitch/robinson-signs-first-big-league-contract>.

H.R. 8012 would designate the Jackie Robinson Ballpark in Daytona Beach, Florida, as the “Jackie Robinson Ballpark National Commemorative Site.” As a National Commemorative Site, the ballpark would not be a unit of the National Park System. The bill includes provisions to prevent any interference with the rights of private property owners, local zoning ordinances, or land use plans. Additionally, the new National Commemorative Site would be included in the African American Civil Rights Network.⁵¹ By designating the ballpark as a National Commemorative Site, H.R. 8012 recognizes the facility’s historic role in advancing civil rights without adding to the federal estate or using taxpayer dollars. The legislation is sponsored by Representative Michael Waltz (R-FL-06) and has 50 bipartisan cosponsors.

IV. MAJOR PROVISIONS & SECTION-BY-SECTION

H.R. 3283 (Rep. Miller-Meeks), “Facilitating DIGITAL Applications Act”

Section 2. Report on Barriers to Establishing Online Portals to Accept, Process, and Dispose of Certain Form 299s.

- Directs the Assistant Secretary of Commerce for Communications and Information to submit, not later than 90 days after enactment of the bill and every 60 days thereafter, reports to Congress on whether the Secretaries of Agriculture and the Interior have established separate online portals for the acceptance, processing, and disposal of a Form 299 for communications use authorizations. The Assistant Secretary of Commerce for Communications and Information must also report on any barriers to the establishment of such portals.
- Requires the Secretaries of Agriculture and the Interior to notify the Assistant Secretary of Commerce for Communications and Information within three business days of establishing their respective online portal.

H.R. 3299 (Rep. Cammack), “DIGITAL Applications Act”

Section 2. Establishment of Online Portals to Accept, Process, and Dispose of Certain Form 299s.

- Requires the Secretaries of Agriculture and the Interior to establish, not later than one year after enactment of the bill, respective online portals for the acceptance, processing, and disposal of a Form 299 for communications use authorizations.
- Requires the Secretaries to notify the Assistant Secretary of Commerce for Communications and Information within three business days of their respective portal being established.
- Directs the Assistant Secretary of Commerce for Communications and Information to publish, on the National Telecommunications and Information Administration’s official website, a link to each online portal established by the Secretary of Agriculture and the Secretary of the Interior after being notified that such portal has been established.

H.R. 5401 (Rep. D’Esposito), “9/11 Memorial and Museum Act”

Section 3. One-Time Grant for National September 11 Memorial & Museum.

- Directs the Secretary of Homeland Security to award, within 90 days of the receipt and approval of an application, to the 9/11 Memorial & Museum a one-time grant of not less than \$5 million but not more than \$10 million. Such grant shall be for the purposes of the operation, security, and maintenance of the 9/11 Memorial & Museum.
- Sets considerations for awarding the grant, including the needs of the grantee, number of visitors to the Memorial and Museum, and the ability to use funds to increase the number of visitors to the site.
- Conditions the grant on free admission to the 9/11 Memorial & Museum for active and retired members of the Armed Forces, first responders to the 9/11 attacks, and 9/11 victims’ family members. Further, the 9/11 Memorial & Museum must use the grant funds to provide free admission hours to the

⁵¹ “African American Civil Rights Network,” U.S. Department of the Interior, National Park Service, <https://www.nps.gov/subjects/civilrights/african-american-civil-rights-network.htm>.

general public at least once per week and must allow for federal audits of its financial statements.

- Requires a report to Congress on the expenditure of grant funds.

H.R. 6012 (Rep. Carbajal), “Fire Safe Electrical Corridors Act of 2023”

Section 2. Permits and Agreements with Electrical Utilities.

- Authorizes the Secretary of Agriculture to provide permission to electrical utilities to cut and remove trees and other vegetation from within the vicinity of distribution or transmission lines without requiring a separate timber sale under a special use permit or easement provided to such utility.
- Requires such actions to comply with the applicable land management plan and all other applicable laws.
- Requires electrical utilities that sell any portion of the removed material under the permit or easement to provide the Secretary of Agriculture with proceeds from those sales, less any transportation costs incurred in the sale.
- Specifies that nothing in the bill requires a timber sale.

H.R. 7976 (Rep. Holmes Norton), “Civil War Defenses of Washington National Historical Park Act”

Section 2. Findings and Purpose.

- States the purposes of the bill are to protect, preserve, enhance, and interpret the CWDW as well as to study and consider creative and cost-effective ways the stories of the defenses of Washington and the Shenandoah Valley Campaign of 1864 can be interpreted to the public.

Section 3. Redesignation.

- Redesignates the CWDW as the “Civil War Defenses of Washington National Historical Park.”

Section 4. Areas Included in the Civil War Defenses of Washington National Historical Park.

- Specifies the CWDW NHP shall include Battery Kemble, Fort Bayard, Fort Bunker Hill, Fort Carroll, Fort Chaplin, Fort Davis, Fort DeRussy, Fort Dupont, Fort Foote, Fort Greble, Fort Mahan, Fort Marcy, Fort Reno, Fort Ricketts, Fort Slocum, Fort Stanton, Fort Stevens, and Fort Totten. These sites are owned and operated by NPS.
- Specifies that Fort Circle Drive, Battleground National Cemetery, Fort Washington, and Oxon Cove Park and Oxon Hill Farm will be affiliated areas of the NPS.
- Allows affiliated sites owned by local and state governments to be affiliated with the NHP through a cooperative agreement. These sites include Fort Ward, Fort C.F. Smith, Fort Ethan Allen, and Fort Willard in Virginia and Battery Bailey in Maryland.

Section 5. Possible Inclusion of Additional Areas.

- Allows privately owned sites to become affiliated areas of the NHP in consultation with relevant stakeholders including state and local governments and interested organizations or members of the public.
- Requires consent from non-Federal property owners and prevents and condemnation in land.

Section 6. National Civil War History Education Center Report.

- Requires a study and report to Congress on creative and cost-effective ways to facilitate improved interpretation of the Civil War in coordination with relevant stakeholders.

Section 7. Administration

- Requires the Secretary of the Interior to administer the NHP consistent with the laws governing the National Park System.
- Allows the Secretary to provide technical assistance for the management, interpretation, and preservation of the CWDW.

- Allows the Secretary to accept donations and enter into cooperative agreements with state or local governments, private organizations or individuals to further the purposes of the bill.
- Allows the Secretary to identify significant federally or non-federally owned sites related to Civil War history in Washington, DC, Maryland, and Virginia.

H.R. 8012 (Rep. Waltz), “*Jackie Robinson Commemorative Site Act*”

Section 2. Jackie Robinson Ballpark National Commemorative Site.

- Designates the Jackie Robinson Ballpark in Daytona Beach, Florida, as the “Jackie Robinson Ballpark National Commemorative Site.”
- Adds the Jackie Robinson Ballpark Commemorative Site to the African American Civil Rights Network established under the African American Civil Rights Network Act of 2017.⁵²
- Authorizes the Secretary of the Interior to enter into cooperative agreements with public or private entities for interpretative and educational purposes involving the Jackie Robinson Ballpark National Commemorative Site.
- Clarifies the site is not a unit of the National Park System.
- Clarifies that the Secretary of the Interior is not authorized to acquire property or interfere with private property rights, local zoning ordinances, or state or local land-use plans.
- Requires the Secretary of the Interior to conduct and submit to Congress, not later than two years after funding is made available, a special resource study of the Jackie Robinson Ballpark Commemorative Site. The study must evaluate the facility’s national significance and determine the feasibility of designating it as a unit of the National Park System.

V. COST

The Congressional Budget Office (CBO) estimated H.R. 3283 and H.R. 3299 would not affect direct spending or revenues.⁵³ None of the other bills on the agenda have received a formal cost estimate from CBO.

VI. ADMINISTRATION POSITION

The administration’s position is unknown at this time.

VII. EFFECT ON CURRENT LAW (RAMSEYER)

None of the bills on the agenda amend current law.

⁵² Pub. Law 115-104, <https://www.gpo.gov/fdsys/pkg/PLAW-115publ104/pdf/PLAW-115publ104.pdf>.

⁵³ “H.R. 3283, Facilitating DIGITAL Applications Act,” Congressional Budget Office, August 2, 2023, <https://www.cbo.gov/publication/59454>. “H.R. 3299, DIGITAL Applications Act,” Congressional Budget Office, August 25, 2023, <https://www.cbo.gov/publication/59526>.

LEGISLATIVE HEARING ON H.R. 3283, TO REQUIRE THE ASSISTANT SECRETARY OF COMMERCE FOR COMMUNICATIONS AND INFORMATION TO REPORT TO CONGRESS ON ANY BARRIERS TO ESTABLISHING ONLINE PORTALS TO ACCEPT, PROCESS, AND DISPOSE OF CERTAIN FORM 299S, AND FOR OTHER PURPOSES, "FACILITATING DIGITAL APPLICATIONS ACT"; H.R. 3299, TO REQUIRE THE DEPARTMENT OF THE INTERIOR AND THE DEPARTMENT OF AGRICULTURE TO ESTABLISH ONLINE PORTALS TO ACCEPT, PROCESS, AND DISPOSE OF CERTAIN FORM 299S, AND FOR OTHER PURPOSES, "DIGITAL APPLICATIONS ACT"; H.R. 5401, TO PROVIDE A ONE-TIME GRANT FOR THE OPERATION, SECURITY, AND MAINTENANCE OF THE NATIONAL SEPTEMBER 11 MEMORIAL & MUSEUM AT THE WORLD TRADE CENTER TO COMMEMORATE THE EVENTS, AND HONOR THE VICTIMS, OF THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001, AND FOR OTHER PURPOSES, "9/11 MEMORIAL AND MUSEUM ACT"; H.R. 6012, TO AUTHORIZE THE SECRETARY OF AGRICULTURE TO PERMIT REMOVAL OF TREES AROUND ELECTRICAL LINES ON NATIONAL FOREST SYSTEM LAND WITHOUT CONDUCTING A TIMBER SALE, AND FOR OTHER PURPOSES, "FIRE SAFE ELECTRICAL CORRIDORS ACT OF 2023"; H.R. 7976, TO DESIGNATE THE CIVIL WAR DEFENSES OF WASHINGTON NATIONAL HISTORICAL PARK COMPRISED OF CERTAIN NATIONAL PARK SYSTEM LANDS, AND BY AFFILIATION AND COOPERATIVE AGREEMENTS OTHER HISTORICALLY SIGNIFICANT RESOURCES, LOCATED IN THE DISTRICT OF COLUMBIA, VIRGINIA, AND MARYLAND, THAT WERE PART OF THE CIVIL WAR DEFENSES OF WASHINGTON AND RELATED TO THE SHENANDOAH VALLEY CAMPAIGN OF 1864, TO STUDY WAYS IN WHICH THE CIVIL WAR HISTORY OF BOTH THE NORTH AND SOUTH CAN BE ASSEMBLED, ARRAYED, AND CONVEYED FOR THE BENEFIT OF THE PUBLIC, AND FOR OTHER PURPOSES, "CIVIL WAR DEFENSES OF WASHINGTON NATIONAL HISTORICAL PARK ACT"; AND H.R. 8012, TO ESTABLISH THE JACKIE ROBINSON BALLPARK NATIONAL COMMEMORATIVE SITE IN THE STATE OF FLORIDA, AND FOR OTHER PURPOSES, "JACKIE ROBINSON COMMEMORATIVE SITE ACT"

Tuesday, July 9, 2024

U.S. House of Representatives
Subcommittee on Federal Lands
Committee on Natural Resources
Washington, DC

The Subcommittee met, pursuant to notice, at 10:15 a.m. in Room 1324, Longworth House Office Building, Hon. Tom Tiffany [Chairman of the Subcommittee] presiding.

Present: Representatives Tiffany, Stauber, Bentz; and Porter.

Also present: Representatives D'Esposito, Miller-Meeks, Waltz; Hoyle, and Norton.

Mr. TIFFANY. The Subcommittee on Federal Lands will come to order.

Without objection, the Chair is authorized to declare a recess of the Subcommittee at any time.

The Subcommittee is meeting today to consider six bills: H.R. 3283, by Representative Miller-Meeks; H.R. 3299, Representative Cammack; H.R. 5401, Representative D'Esposito; H.R. 6012, Representative Carbajal; H.R. 7976, Delegate Holmes Norton; and H.R. 8012, Representative Waltz.

I ask unanimous consent that the following Members be allowed to participate in today's hearing from the dais: the gentlelady from Oregon, Ms. Hoyle; the gentleman from California, Mr. Carbajal; the gentleman from Florida, Mr. Waltz; the gentlelady from Florida, Mrs. Cammack; the gentlelady from Iowa, Mrs. Miller-Meeks; the gentleman from New York, Mr. D'Esposito; and the gentlelady from the District of Columbia, Ms. Holmes Norton.

Without objection, so ordered.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member. I, therefore, ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted in accordance with Committee Rule 3(o).

Without objection, so ordered.

I will now recognize myself for an opening statement.

STATEMENT OF THE HON. TOM TIFFANY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WISCONSIN

Mr. TIFFANY. The bills on today's legislative agenda take important steps to broaden access to the digital world of the future, while also honoring our past by supporting important historical and commemorative sites across the country.

Affordable and reliable high-speed Internet or broadband is vital to many aspects of modern life, including telemedicine and online education. Too often, however, rural and tribal areas have difficulty fully participating in the digital world. To expand access to these areas, additional broadband facilities must be deployed on Federal land.

Unfortunately, the current regulatory climate places considerable obstacles in the way of rural broadband providers, ranging from burdensome permitting requirements to lengthy application processes. In fact, broadband developers have reported that deployments on Federal land often take between 5 and 10 years to complete. It is no wonder, then, that the digital divide remains so persistent, including in my home state of Wisconsin.

According to a 2023 report from the Wisconsin Governor's Task Force on Broadband Access, 10 percent of Wisconsin's homes and businesses lack basic access to the Internet, and more than 20 percent don't have access to any high-speed broadband services.

Those are the statewide figures. But in Wisconsin's rural areas, including the communities in my district, the number of homes without access to broadband jumps exponentially.

Through joint targeted reforms, H.R. 3283 and H.R. 3299 would improve the current permitting system. Specifically, Representative Cammack's bill would require the Department of the Interior and the U.S. Forest Service to establish online portals for accepting, processing, and disposing of communications use authorizations. Representative Miller-Meeks' legislation complements this effort by adding needed mechanisms for transparency and accountability, and setting up these portals. These bipartisan bills will help set up a digital one-stop-shop for communications use authorizations, making it easier for providers to build new broadband infrastructure on Federal lands. This is a common-sense fix that will help make the broadband permitting process less cumbersome and time-consuming.

Representative Miller-Meeks and Cammack's legislation is the latest in a series of bills this Subcommittee has considered to expand broadband access. Earlier this year, the Committee marked up legislation from Representative Fulcher, the BARS Act, that addressed NEPA delays with siting broadband infrastructure on Federal lands in previously disturbed rights-of-ways. Taken together, these bills will help close the digital divide by adding transparency, accountability, and efficiency to a flawed Federal communications system.

The remaining three bills recognize and support important historical sites across the country.

Representative D'Esposito's legislation would provide a one-time grant to the 9/11 Memorial and Museum in New York City. The Memorial and Museum is the principal tribute of remembrance and honor to the nearly 3,000 people killed by terrorists on September 11, 2001. Security costs for protecting the site, its staff, and its visitors remain high. The single grant authorized by this bill would provide needed funding to this hallowed site to help ensure that future generations continue to learn the lessons of this tragic historical event in American history.

Additionally, we are considering a bill sponsored by Delegate Holmes Norton that would designate the Civil War Defenses of Washington, DC as a national historical park. Included in that designation are a collection of forts, artillery batteries, and other defense structures that were built to protect the nation's capital during the Civil War. Eighteen of those sites are already federally owned, while the remaining locations will be incorporated into the historical park as affiliated sites governed by locally-led cooperative agreements with the National Park System.

Finally, H.R. 8012, sponsored by Representative Waltz, would designate the Jackie Robinson Ballpark in Daytona Beach, Florida as the Jackie Robinson Ballpark National Commemorative Site. Before going on to break Major League Baseball's color barrier in 1947, Jackie Robinson broke the racial divide that segregated players in the minor leagues. This bill would commemorate the ballpark where that momentous event occurred without adding to the Federal estate or using taxpayer dollars. Jackie Robinson's story is a powerful reminder of the unifying power of sports, and

this legislation is an appropriate honor for his extraordinary legacy.

Finally, I would like to highlight the bipartisan Fire Safe Electrical Corridors Act offered by Representatives Carbajal and Chavez-DeRemer. This legislation would make it easier for utility companies to clear overgrown vegetation and hazard trees in rights-of-way. This legislation would support more active management of our overgrown, fire-prone forests, and protect communities in the wildland-urban interface from the risk of catastrophic wildfire.

As of yesterday, catastrophic wildfires have already burned another 2.8 million acres this year. A few weeks ago, this Committee marked up the bipartisan Fix Our Forests Act by voice vote, a bill that I am co-sponsoring. I look forward to working with my colleagues on both sides of the aisle to ensure that we can get meaningful, historic, and desperately-needed forest management reforms enacted into law this year.

I want to thank Members on both sides of the dais for their work on today's bills. I also want to express my appreciation to the witnesses appearing before us today.

I appreciate you taking the time to travel to be here to provide your expert testimony.

OK. We are going to start with our first panel, and I would like to recognize Representative Miller-Meeks for 5 minutes in regards to H.R. 3283.

STATEMENT OF THE HON. MARIANNETTE MILLER-MEEKS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IOWA

Mrs. MILLER-MEEKS. Thank you, Mr. Chairman, and thank you for inviting me to speak in support of my bipartisan bill, H.R. 3283, the Facilitating Digital Applications Act.

This bill requires the National Telecommunications and Information Administration to submit a report on the development of online portals for processing applications for communication use authorizations.

As Members from all over the country that represent rural districts understand, broadband deployment in rural areas is both expensive and time-consuming. Broadband for providers face multiple regulatory hurdles, particularly when infrastructure build-out covers a portion of Federal land. Under the current system, the Bureau of Land Management requires providers applying for right-of-way permits to download a standard Form 299, arrange for a pre-application meeting with the BLM staff, and submit a completed application either in person or through the mail, in addition to undergoing extensive review periods. These forms can be filed multiple times a day by a single applicant.

Agencies often exceed the 270-day statutory time limit for approving or denying applications. This lengthy process jams up states' build-out plans, and creates economic uncertainty for providers, and I have witnessed this firsthand in my state of Iowa. The current method is inefficient and, frankly, outdated.

A permitting regime that incorporates an online portal submission process for applications would allow for the rapid exchange of information between applicants and Federal agencies. This would

cut down on the time that it takes agencies to process paperwork, and it would lessen the burden on the applicant by creating a central hub for project information.

The Facilitating Digital Applications Act is a key component of this mission to make permitting more efficient. It directs NTIA to submit a report to Congress on the progress of launching an online submission portal for applications within 90 days of the bill's enactment, and every 60 days thereafter until the portals are established. It is a complement to Representative Cammack's bill, which begins the process of delineating how online applications should be structured. By requiring these reports, Congress can gain deeper insight into the Federal permitting process and take a crucial step in eliminating barriers to a more efficient broadband infrastructure deployment.

The need for this bill is evident. Many families and businesses across the country still lack access to broadband. As we look across our districts, we know that this service gap can result in negative impacts on Americans' health, education, and financial outcomes. Nothing exposed this reality for rural areas more acutely than the COVID-19 pandemic. In today's economy, it is more important than ever that we reduce bureaucratic red tape and make common-sense solutions to close the digital divide.

I thank the Chairman once again for holding this important hearing. I thank the witnesses in advance for their testimony.

I yield back.

Mr. TIFFANY. Thank you, Representative Miller-Meeks, for your testimony. And now we are going to move on to the testimony from Delegate Holmes Norton in regards to H.R. 7976.

Ma'am, you have 5 minutes. Welcome to the Committee.

**STATEMENT OF THE HON. ELEANOR HOLMES NORTON, A
DELEGATE IN CONGRESS FROM THE DISTRICT OF COLUMBIA**

Ms. NORTON. Thank you, Chairman Tiffany, for holding this hearing and allowing me to testify on H.R. 7976, the Civil War Defenses of Washington National Historical Park Act.

The Civil War Defenses of Washington, including forts, unarmed batteries, and rifle trenches created a ring of protection for the nation's capital during the Civil War. The bill would recognize and preserve the Defenses of Washington located in the District of Columbia, Virginia, and Maryland by re-designating the 22 Defenses of Washington currently under National Park Service jurisdiction as a National Historic Park, and allowing other sites associated with the Defenses of Washington that are owned by DC or a unit of state government to be affiliated with the National Historic Park through cooperative agreements.

This bill would also require the Secretary of the Interior to facilitate the history of the Civil War, including the history of the Defenses of Washington and the Shenandoah Valley Campaign of 1864 being assembled, arrayed, and conveyed for the benefit of the public.

The Defenses of Washington were constructed at the beginning of the war in 1861 as a ring of protection for the nation's capital and for President Abraham Lincoln. By the end of the war, these

defenses included 68 forts, 93 unarmed batteries, 807 mounted cannons, 13 miles of rifle trenches, and 32 miles of military roads.

The major test of the Defenses of Washington came from the Shenandoah Valley Campaign of 1864, when Confederate Lieutenant General Jubal Early, directed by General Robert E. Lee, sought to attack the nation's capital from the north, causing Union forces threatening to attack Richmond, the capital of the Confederacy, to be withdrawn. General Early was delayed by Union Major General Lew Wallace at the Battle of Monocacy on July 9, 1864, and was stopped at the northern edge of Washington at the Battle of Fort Stevens on July 11 and 12, 1864. The Shenandoah Valley Campaign ended when Union Lieutenant General Philip Sheridan defeated General Early at the Battle of Cedar Creek, Virginia, on October 19, 1864.

Nearly all the individual forts in the Defenses of Washington on both sides of the Potomac and Anacostia Rivers were involved in stopping General Early's attack, and the Battle of Fort Stevens was the second and last attempt by the Confederate Army to attack Washington. Taken together, these battles were pivotal to the outcome of the war and the freedom and democracy that the war represented for this country. It is therefore fitting that we recognize the Defenses of Washington by re-designating them as a National Historic Park.

Again, I thank you for holding this hearing and allowing me to testify, and I look forward to working with you to pass this bill.

Mr. TIFFANY. Thank you, Delegate Holmes Norton. And now I would like to recognize Representative D'Esposito for 5 minutes in regards to H.R. 5401.

STATEMENT OF THE HON. ANTHONY D'ESPOSITO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. D'ESPOSITO. Thank you very much, Chairman Tiffany and the entire Subcommittee, for taking on this critical legislation today.

I would also like to thank Mr. Joe Quinn, who traveled here today to speak on the importance of this legislation.

Mr. Quinn, I am extremely sorry for your loss, and remind you that we will never, ever forget.

On September 11, 2001, nearly 3,000 Americans tragically lost their lives on a Pennsylvania field, the World Trade Center in New York City, and at the Pentagon, just miles away in Virginia. Over 20 years later, we continue to lose people to 9/11-related illnesses. Each year for over two decades, our nation has vowed to never forget the friends, the families, the brothers, the sisters, the mothers, the fathers, the daughters, or the sons that we lost that day; to never forget the heroism of the first responders that ran into the towers to save their fellow man at the cost of their own lives; to never forget the national resilience this nation witnessed in the days and weeks that followed.

Today, here in 2024, every kid that is in high school was born after 9/11, making our nation's vow to never forget and to educate the next generation more critically important than ever.

Mr. Chairman, on the wall of the National September 11th Memorial and Museum there is a quote from Virgil: "No day shall erase you from the memory of time." The Memorial and Museum in New York City sits on the site of the World Trade Center and memorializes every individual who lost their lives on September 11th. In the museum, you can listen to the last phone calls made from the towers and on those planes to loved ones to say goodbye. You can look at photos of the nearly 3,000 victims and see some of their belongings that helped tell the story of their life. You can see the posters of desperate loved ones looking for their friends or family in the days and the weeks following that devastating attack on our American soil. You could see for yourself the destruction and devastation caused that day.

Mr. Chairman, it is impossible to walk out of that museum unchanged by what you have seen, what you have heard, and, more importantly, what we have learned. The National September 11th Memorial and Museum upholds this nation's promise to never forget, and it is absolutely critical that the museum has the resources it needs to continue to educate both Americans and visitors from every corner of this world.

My legislation would authorize up to \$10 million in additional funds for the museum to help them continue to tell these critical stories and ensure the next generation understands what our nation lost that day. It will also help keep the museum and all its visitors and staff safe from, God forbid, another attack.

As a lifelong New Yorker and a retired NYPD detective who lost and continues to lose friends, I am proud to have introduced this legislation. And to the families and survivors of 9/11, I will never, ever stop fighting on your behalf in Congress.

Mr. Chairman, I yield back.

Mr. TIFFANY. Thank you, Representative D'Esposito. Now I would like to recognize Representative Waltz for 5 minutes in regards to H.R. 8012.

Sir, the floor is yours.

STATEMENT OF THE HON. MICHAEL WALTZ, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. WALTZ. Thank you, Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee. Thank you for the opportunity to testify today in support of my bipartisan and bicameral H.R. 8012, led in the Senate by Senator Rubio, the Jackie Robinson Ballpark Commemorative Site Act to honor Jackie Robinson's legacy by memorializing the stadium where Jackie Robinson played his first professional game and broke baseball's color barrier.

This bill would designate the Jackie Robinson Ballpark in Daytona Beach, Florida as a National Commemorative Site. Additionally, this bill would add the ballpark to the African American Civil Rights Network, as well as direct the Secretary of the Interior to conduct a feasibility study to start the process designating the stadium as a National Historic Landmark.

The City of Daytona Beach and the then-named Daytona City Island Ballpark were the first city and stadium to allow Jackie Robinson to play during the 1946 season spring training. Robinson

signed to play then for the AAA Montreal Royals, who held spring training in Florida with the Brooklyn Dodgers. Local baseball affiliates in Jacksonville and Sanford, believe it or not, they locked their stadiums to not allow Robinson and the Royals to play. They forced the cancellation of exhibition games due to local laws and ordinances that prohibited mixed race athletics.

Thankfully, and I am proud to say, Daytona Beach permitted the game. And on March 17, 1946, Jackie Robinson played his first professional baseball game in Daytona City Island Ballpark, helping to change the course of American history. Jackie Robinson would go on to lead the Royals to a minor league championship in 1946. The next year he was promoted to the Dodgers, and then broke Major League Baseball's color barrier.

Importantly, Mr. Chairman, the Dodger Stadium has since been torn down. So, this stadium in Daytona Beach would be the living and still standing landmark commemorating this historic event.

In his book, "My Own Story," Jackie Robinson reflected on the importance of this first game, stating, "I knew, of course, that everyone wasn't pulling for me to make good, but I sure know that the whole world wasn't lined up against me. When I went to sleep the applause was still ringing in my ears."

Now home to the Daytona Tortugas and the oldest active ballpark in minor league baseball, Jackie Robinson Stadium is a historic landmark, a reminder of the Civil Rights Movement and the integration of modern professional baseball.

Mr. Chairman, I urge this Subcommittee to preserve and honor Jackie Robinson's legacy and the impact he had on the future of this country. We have over 50 co-sponsors on this bill.

I thank the Subcommittee for allowing me to speak today on this bill, and I hope we can preserve this ballpark for generations to come.

Thank you, Mr. Chairman. I yield.

Mr. TIFFANY. Thank you, Mr. Waltz, for your testimony. We are going to move on to our second panel now.

Let me remind the witnesses that under Committee Rules, you must limit your oral statement to 5 minutes, but your entire statement will appear in the hearing record.

To begin your testimony, please press the "on" button on the microphone.

We use timing lights. When you begin, the light will turn green. At the end of 5 minutes, the light will turn red, and I will ask you to please wrap up your statement.

First, I would like to introduce Mr. Chris French, Deputy Chief of the National Forest System at the U.S. Forest Service.

Deputy Chief French, welcome back to the Committee. You are recognized for 5 minutes.

STATEMENT OF CHRIS FRENCH, DEPUTY CHIEF, NATIONAL FOREST SYSTEM, U.S. FOREST SERVICE, WASHINGTON, DC

Mr. FRENCH. Thank you, Chairman Tiffany and members of the Committee. My name is Chris French, the Deputy Chief of the National Forest System for the U.S. Forest Service. Thank you for the opportunity to provide the perspective of the USDA Forest

Service in support of these three public land bills under consideration today.

The Forest Service manages 193 million acres of public national forests and grasslands that provide a wide range of benefits including jobs, drinking water, food, wood and fiber, and extensive recreational opportunities. The agency also supports important services for the benefit of the American people by way of permitting nearly 66,000 special uses across the National Forest System, including communication sites and power line corridors.

The bills we are discussing today aim to support the agency's mission and supporting the communication needs of the American public, and helping to maintain safe corridors for our electric infrastructure. The USDA supports the intent of H.R. 3299 and H.R. 3283, which addressed the permitting of communications infrastructure on National Forest System lands.

The Forest Service has made some recent advances in establishing an online portal system that are relevant to these bills. We defer to the Department of the Interior and the Department of Commerce on elements of the bill and their purview.

H.R. 3299 aims to improve the agency's communication permitting program by requiring the agency to establish a public-facing online portal system to accept, process, and dispose of applications for communication use authorizations.

H.R. 3283 would require the Forest Service to submit information to the Assistant Secretary for the Department of Commerce, who would be responsible for reporting to Congress on whether USDA and other agencies have established online portals for communication use authorization.

We acknowledge the need for an online portal system. Such a system will help us ensure that we can effectively process and permit critical infrastructure that provides communication services, including broadband, to the American people. With this in mind, the Forest Service is already investing heavily in developing a robust digital permitting system that we hope will improve our applicants' experience and potentially significantly improve the entire approval process.

We would like to work with the bill's sponsors in the Committee to offer some technical changes, given our ongoing efforts to develop enhanced digital services, and to address concerns about the potential burden of reporting requirements within the bill.

H.R. 6012 would grant the Secretary of Agriculture authority to allow electric utilities operating under special use permits or easements on National Forest System lands to cut and remove vegetation adjacent to power lines without requiring a separate timber sale. Vegetation can fall on or damage power lines, sometimes causing costly fires, power outages, and resource damage. Power line rights-of-way on National Forest System lands need constant maintenance to ensure safe delivery of electric power to the American people. H.R. 6012 intends to help facilitate the removal of unsafe vegetation adjacent to power lines, which would greatly reduce the risk of fires. Funding for vegetation removal can be a barrier to needed maintenance, especially for small, rural utilities. H.R. 6012 would hasten the removal of unsafe vegetation by eliminating the need to prepare and process a timber sale.

In addition, any proceeds from the sale of any merchantable fiber by the utility can be applied to the cost of transporting unsafe vegetation adjacent to power lines to market. The bill would not change required compliance with any environmental laws or regulations.

USDA supports the intent of H.R. 6012, and would like to work with the Committee and the bill's sponsors to fully realize the bill's intention to facilitate the removal of unsafe vegetation adjacent to these power lines.

That concludes my remarks today, and I look forward to answering any questions you have.

[The prepared statement of Mr. French follows:]

PREPARED STATEMENT OF CHRISTOPHER FRENCH, DEPUTY CHIEF, UNITED STATES
DEPARTMENT OF AGRICULTURE, FOREST SERVICE
ON H.R. 3299, H.R. 3283, AND H.R. 6012

Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee, thank you for the opportunity to provide testimony on several bills pertaining to the USDA Forest Service. We defer to the U.S. Department of the Interior (DOI) for its views on those elements of the bills that would affect federal lands under its jurisdiction.

H.R. 3299, "DIGITAL Applications Act"

H.R. 3299 would require DOI and USDA each to establish an online portal to accept and process applications for communications use authorizations and to notify the Assistant Secretary of Commerce of the availability of the online portal.

USDA recognizes the Forest Service's important role in permitting critical infrastructure that provides communications services, including broadband, to the American people. USDA fully supports the bill's establishment of an online portal to accept and process proposals and applications for communications use authorizations, and the Forest Service has already started developing digital permitting services.

Until recently, a proposal or application for a communications use was submitted by email or through regular mail to the local Forest Service office. A longstanding goal of the Forest Service has been to automate this process by developing and deploying enhanced digital permitting services.

As an interim solution, the Forest Service recently created a publicly available online portal for submission of communications use proposals and applications (available at: <https://www.fs.usda.gov/managing-land/special-uses/communications-uses/fiber-optic-cable>). The portal allows the agency to track communications use proposals and applications at the national level, thus providing an additional level of oversight. Meanwhile, the Forest Service is investing in more robust digital permitting services that will include several features, such as the ability for proponents to submit and track their proposals and applications online and digitally sign their authorizations.

To promote the goal of more robust digital permitting services, the Forest Service has obtained additional skills and capacity through an agreement with the General Services Administration's Technology Transformation Services (known as GSA 18F). This effort will support research and customer engagement to enhance the digital permitting services' utility, functionality, and user interface. The enhanced digital permitting services will promote efficiency in processing all proposals and applications, reliability of proponent and agency data, and agency transparency and accountability. All these enhancements will significantly improve customer service and satisfaction.

USDA recently received funding from the Federal Permitting Improvement Steering Council to support the Forest Service's development and deployment of enhanced digital permitting services. Our efforts to enhance digital permitting services can be complemented by the agency's use and expanded availability of categorical exclusions (CEs) we have adopted under the Fiscal Responsibility Act, such as CEs C-4 through C-8 concerning new communications uses, including broadband, from the National Telecommunications and Information Administration; and CEs A-4 (communication towers) and A-6 (fiber optic cable) from the Department of Commerce.

USDA supports the intent of H.R. 3299 and would like to work with the bill sponsors and Committee to offer technical assistance given the Department's ongoing efforts to develop and fund enhanced digital services and to address concerns about the Department of Commerce notification requirement.

H.R. 3283, "Facilitating DIGITAL Applications Act"

H.R. 3283 would require the Assistant Secretary of Commerce to submit to the appropriate congressional committees a report on whether DOI and USDA have established online portals to accept and process applications for communications use authorizations.

USDA is already working toward establishing an online portal to accept and process applications for communications use authorizations and welcomes Congress's interest in this endeavor.

As an interim solution, the Forest Service recently created a publicly available online portal for submission of communications use proposals and applications (available at: <https://www.fs.usda.gov/managing-land/special-uses/communications-uses/fiber-optic-cable>). The portal allows the agency to track communications use proposals and applications at the national level, thus providing an additional level of oversight. Meanwhile, the Forest Service is investing in more robust digital permitting services that will include several features, such as the ability for proponents to submit and track their proposals and applications online and digitally sign their authorizations.

To promote the goal of more robust digital permitting services, the Forest Service has obtained additional skills and capacity through an agreement with the General Services Administration's Technology Transformation Services (known as GSA 18F). This effort will support research and customer engagement to enhance the digital permitting services' utility, functionality, and user interface. The enhanced digital permitting services will promote efficiency in processing all proposals and applications, reliability of proponent and agency data, and agency transparency and accountability. All these enhancements will significantly improve customer service and satisfaction.

USDA recently received funding from the Federal Permitting Improvement Steering Council to support the Forest Service's development and deployment of enhanced digital permitting services. Our efforts to enhance digital permitting services can be complemented by the agency's use and expanded availability of categorical exclusions (CEs) we adopted under the Fiscal Responsibility Act, such as CEs C-4 through C-8 concerning new communications uses, including broadband, from the National Telecommunications and Information Administration; and CEs A-4 (communication towers) and A-6 (fiber optic cable) from the Department of Commerce.

USDA supports the intent of H.R. 3283. USDA would like to work with the bill sponsors and Committee to offer technical assistance given the Department's ongoing efforts to develop and fund enhanced digital services and to address concerns about the Department of Commerce reporting requirements.

H.R. 6012, "Fire Safe Electric Corridors Act of 2023"

H.R. 6012 would grant the Secretary of Agriculture authority to allow electric utilities operating on National Forest System (NFS) lands under a special use authorization to cut and remove vegetation within the vicinity of their authorized powerline facilities without requiring a separate timber sale. Any vegetation management conducted under this authority would have to be consistent with the applicable land management plan and applicable environmental laws and regulations.

USDA supports the intent of the H.R. 6012 and appreciates Congress's efforts to facilitate more efficient management of powerline facility rights-of-way on NFS lands. Current forest management authority allows for disposal of some timber associated with vegetation management for powerline facilities and other administrative uses without a separate timber sale. Our existing authority is limited by the Agency's overall maximum cutting volume and does not directly address disposal of felled hazard trees in or adjacent to a powerline facility right-of-way without a separate timber sale.

USDA looks forward to working with the Committee and bill sponsors to fully realize the bill's intention of addressing the limitations in Forest Service's existing authority. We are interested in a clear authority to cut and dispose of hazard trees in or adjacent to powerline facility rights-of-way that would not require a timber sale or need to compensate the federal government. We would like to work with the committee to ensure that the authority to cut and dispose of hazard trees along power line ROWs is clear and that the disposal of hazard trees is not subject to valuation and timber sale requirements.

Mr. TIFFANY. Thank you, Deputy Chief French. I would now like to introduce Mr. Mike Caldwell, Associate Director for Park Planning Facilities and Lands at the National Park Service.

Associate Director Caldwell, you have 5 minutes.

**STATEMENT OF MIKE CALDWELL, ASSOCIATE DIRECTOR,
PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK
SERVICE, WASHINGTON, DC**

Mr. CALDWELL. Chairman Tiffany and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on two of the bills on today's agenda. I would like to submit our full statements for the record and summarize the Department's views.

I would also like to submit a statement for the record for two other bills, H.R. 3299, the Deploying Infrastructure with Greater Internet Transactions and Legacy Applications Act; and H.R. 3283, the Facilitating the Deployment of Infrastructure with Greater Internet Transactions and Legacy Application Act. This statement was prepared by the Bureau of Land Management, and we would request that any questions about these bills be referred to them.

H.R. 7976 would re-designate the Civil War Defenses of Washington as the Civil War Defenses of Washington National Historical Park. These defenses were a ring of forts and buttresses that encircled the capital city as a safeguard from invasion by Confederate troops, and made Washington the most heavily fortified city in the world at the time. The park would include the 19 National Park Service sites that are currently associated with the Civil War Defenses of Washington.

H.R. 7976 would allow the National Park Service to affiliate with any site in the District of Columbia, Virginia, and Maryland that is associated with the Civil War Defenses of Washington for possible inclusion in the park, and provide the option to purchase these properties.

The bill would also direct a study and report of the history of the Civil War to consider ways these stories could be conveyed for the benefit of the public.

The Department recognizes the important contribution to America's story that is represented by the Civil War Defenses of Washington sites, and supports the bill's goal to expand the public's understanding of the significance of the Defenses of Washington and the Shenandoah Valley Campaign of 1864. However, rather than designating the sites as a standalone National Park Service unit, the Department believes the current management system effectively protects the existing resources while affording interpretive education and recreational opportunities across the sites.

The National Park Service continuously seeks ways to collaborate with local governments and stakeholder groups to elevate public awareness and appreciation of these special places. If the Committee decides to act on this legislation, we would like to have the opportunity to work with the bill's sponsor and the Committee on amendments.

H.R. 8012 would designate Jackie Robinson Ballpark in Daytona Beach, Florida as a national commemorative site. The bill would

also add the site to the African American Civil Rights Network, and it would authorize a special resource study of the Jackie Robinson Ballpark.

The Department views the achievements and legacy of Jackie Robinson, who paved the way for integration in the national sport of baseball, as an important and inspiring story in our nation's history, and supports authorizing a special resource study of the Jackie Robinson Ballpark. The Department recommends deferring action on designating the ballpark as a national commemorative site until after the special resource study is completed, and recommendations for preservation and interpretation of the site are submitted to Congress.

We also recommend pursuing inclusion of the site on the African American Civil Rights Network through previously authorized administrative process, rather than adding it through H.R. 8012.

The special resource study authorized by H.R. 8012 would provide an opportunity for the National Park Service to evaluate the Jackie Robinson Ballpark and make recommendations to Congress about whether it would be a good candidate for inclusion in the National Park System, while also considering alternatives for preservation, protection, and interpretation of the site by other governmental or non-governmental entities. Designating the site as a national commemorative site prior to completing the study would be premature. A special resource study would provide valuable information in determining how best to designate and manage the ballpark to recognize Jackie Robinson and his incredible legacy.

The Department recommends amending H.R. 8012 to authorize a special resource study to be completed within 3 years of funding being made available, rather than 2. We would be happy to work with the Committee and the sponsor on amendment language.

Mr. Chairman, this concludes my testimony. I am happy to answer any questions that you or other members of the Subcommittee may have.

[The prepared statement of Mr. Caldwell follows:]

PREPARED STATEMENT OF MICHAEL A. CALDWELL, ASSOCIATE DIRECTOR, PARK
PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE,
U.S. DEPARTMENT OF THE INTERIOR

ON H.R. 7976 AND H.R. 8012

H.R. 7976

Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 7976, the Civil War Defenses of Washington National Historical Park Act.

The Department recognizes the important contribution to America's story that is represented by the Civil War Defenses of Washington sites and supports the bill's goal to expand the public's understanding of the significance of the Defenses of Washington and the Shenandoah Valley Campaign of 1864. However, rather than designating the sites as a stand-alone unit of the National Park System, the Department supports maintaining the existing comprehensive system of parks that interpret the historic forts and also provide recreation opportunities, preserve substantial tracts of forests, and protect water resources in and around the Nation's Capital.

H.R. 7976 would redesignate the Civil War Defenses of Washington as the Civil War Defenses of Washington National Historical Park. The park would include the National Park Service (NPS) sites that are currently associated with the Civil War Defenses of Washington. H.R. 7976 would also allow the NPS to affiliate with any site in the District of Columbia, Virginia, and Maryland that is associated with the

Civil War Defenses of Washington for possible inclusion in the park; it would further provide the NPS with the option to purchase these properties from willing sellers. The bill would also direct a study and report of the history of the Civil War to consider what ways these stories could be conveyed for the benefit of the public.

The Civil War Defenses of Washington are historically significant to the Nation for being instrumental to the protection of Washington, DC, during the Civil War. At that time, a ring of forts and buttresses encircled the capital city as a safeguard from invasion by Confederate troops. It was composed of 68 forts supported by 93 detached batteries and 20 miles of rifle pits. In record time, the Union built a fort system that made Washington, DC, the most heavily fortified city in the world.

The remaining federally owned sites originally were to have been connected by a Fort Circle Drive in accordance with the 1902 McMillan Commission Report. The drive was not completed, and the forts and parcels of land purchased for the drive were divided among Rock Creek Park, National Capital Parks-East, and the George Washington Memorial Parkway to manage. Today, the NPS manages 19 Civil War fort sites in the District of Columbia, Virginia, and Maryland. Other sites are managed by local governments in Maryland and Virginia while the rest have been torn down or lost to other purposes. The NPS preserves the historical integrity of the fort remnants that are an important part of the Capital's rich Civil War history, and these sites also function as community parks and a greenbelt of open space for outdoor recreation for the benefit of residents and visitors.

Because the Civil War defenses are spread across three NPS units, the NPS has developed a management system to coordinate across park boundaries within our existing staffing and funding capacity. A Civil War Defenses of Washington program manager and two rangers provide education, interpretation, event planning, and program coordination for all 19 NPS sites. The Department believes this management system effectively protects the existing resources while affording interpretive, education, interpretive, and other opportunities across the sites. The NPS continuously seeks ways to collaborate with local governments and stakeholder groups to elevate public awareness and appreciation of these special places.

If the Committee decides to act on this legislation, we would like to work with the bill sponsor and the Committee on amendments that would align the bill's language with that Congress typically uses for other legislation authorizing new units of the National Park System, including referencing a legislative map. We would also like to discuss whether the study that would be authorized by this bill could be tailored to meet more specific goals.

Chairman Tiffany, this concludes my statement. I would be happy to answer any questions that you or the other members of the Subcommittee have.

H.R. 8012

Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 8012, a bill to establish Jackie Robinson Ballpark National Commemorative Site in the state of Florida, and for other purposes.

The Department views the achievements and legacy of Jackie Robinson as an important and inspiring story in our nation's history and supports authorizing a special resource study of the Jackie Robinson Ballpark in Daytona Beach, Florida, as provided for in H.R. 8012. The Department recommends deferring action on designating the ballpark as a national commemorative site until after the special resource study is completed and recommendations for preservation and interpretation of the site are submitted to Congress. We also recommend pursuing inclusion of the site on the African American Civil Rights Network through the previously authorized administrative process, rather than adding it through H.R. 8012.

H.R. 8012 would designate Jackie Robinson Ballpark as a national commemorative site. The bill would also add the site to the African American Civil Rights Network, a program managed by the National Park Service (NPS). Additionally, the bill would authorize a special resource study of the Jackie Robinson Ballpark to assess its national significance, suitability, and feasibility for establishment as a unit of the National Park System, and consider alternatives for preservation, protection, and interpretation of the Site by Federal, State, or local government entities, or private and nonprofit organizations.

Jackie Robinson, the son of South Georgia sharecroppers, made history by breaking the race barrier in Major League Baseball (MLB) as the first African American to play in a regularly scheduled MLB professional game in the modern era. On March 17, 1946, he played his first exhibition game at Daytona Beach's City Island Ball Park in Florida. His remarkable performance, including a stolen base and a run scored, captured the nation's attention. Robinson challenged segregation

in both presence and performance and paved the way for racial integration in the national sport of baseball. He went on to win the National League's pennant and Rookie of the Year honors and became the first African American player inducted into the Baseball Hall of Fame. His legacy transcended the sport of baseball, and he continued to serve as an ardent civil rights activist until his death in 1972.

In 1990, the City Island Ball Park, along with the associated ball field and grandstand, was renamed Jackie Robinson Ball Park—a tribute to his impact on baseball and the nation's fight for racial equality.

The special resource study authorized by H.R. 8012 would provide an opportunity for the NPS to evaluate the Jackie Robinson Ballpark for its potential for inclusion in the National Park System, consider alternatives for preservation, protection, and interpretation of the site by federal, state, or local government entities, or private and nonprofit organizations, and report these findings to Congress. Designating the site as a national commemorative site prior to completing the study would be premature. A special resource study would provide valuable information in determining how best to designate and manage the ballpark to recognize Jackie Robinson and his legacy.

Furthermore, the Department has concerns about the use of the term, "national commemorative site," since the term has no definition by law or custom and the public may be confused about its significance. The NPS is aware of only three examples where Congress has used this designation: the Quindaro Townsite National Commemorative Site in Kansas, the Kennedy-King National Commemorative Site in Indiana, and the Charleston High School National Commemorative Site in Arkansas. The NPS recommends that Congress define the term along with a programmatic context prior to designating any new national commemorative sites.

Additionally, legislative designation of the Jackie Robinson Ballpark as part of the African American Civil Rights Network would circumvent an established administrative process that ensures that all nominated properties meet the network's criteria.

The Department recommends amending H.R. 8012 to authorize a special resource study to be completed within three years of funding being made available, rather than two. We would be happy to work with the Committee and the sponsor on amendment language.

Mr. Chairman, this concludes my statement. I would be pleased to answer any questions that you or other members of the Committee might have.

QUESTIONS SUBMITTED FOR THE RECORD TO MR. MIKE CALDWELL, ASSOCIATE
DIRECTOR—PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE,
DEPARTMENT OF THE INTERIOR

Mr. Caldwell did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.

Questions Submitted by Representative Westerman

Question 1. In his testimony, Deputy Chief Chris French of the U.S. Forest Service (USFS) stated that USFS supports the intent behind H.R. 3283 and H.R. 3299 and acknowledges the need for an online portal system to process communications use authorizations for USFS-administered lands.

1a) Does the BLM similarly acknowledge the need for creating an online portal system to process communications use authorizations for BLM-administered lands? Please explain why or why not.

1b) If not, by what alternative means would the BLM seek to improve its current application-processing system?

Question 2. In his testimony, Mr. Romano indicated that online portals should "not only facilitate the submission of applications," but should "also provide greater visibility into the status of such applications—including identification of where they stand in terms of review and any items that might be deemed as lacking or missing in the submission."

2a) Does the BLM agree that, to be effective, an online portal should have features that enable an applicant to track the status of their applications for communications use authorization? If so, please explain how the BLM would plan to create these features.

2b) If not, please explain how the BLM would otherwise work to ensure that applicants have more transparency regarding the status of their applications.

Question 3. In his remarks to the Committee on H.R. 8012, Associate Director Michael Caldwell of the National Park Service (NPS) stated that the Department of the Interior (DOI) “recommends deferring action on designating the [Jackie Robinson Ballpark] as a national commemorative site until after the special resource study is completed and recommendations for interpretation and preservation and interpretation of the site are submitted to Congress.” Associate Director Caldwell also explained that the DOI recommends that H.R. 8012 be amended to give the DOI three years, rather than two, to complete the special resource study authorized by the legislation.

3a) Why does the DOI need a full three years to complete the special resource study?

3b) Has the NPS ever completed a special resource study in less than 3 years? If so, please list instances when this has occurred.

Question 4. In its Statement for the Record, the BLM states that the agency “place[s] a high priority on working with applicants on their proposed [rights-of-way (ROW)] to process the application expeditiously” and “strives to provide ROW applicants a decision within 60 days from the receipt of the completed application.” In a report dated April 10, 2024, however, the U.S. Government Accountability Office (GAO), observed that roughly half of the communications use applications submitted to the BLM during fiscal years (FY) 2018 to 2022 either exceeded the 270-day statutory deadline or lacked sufficient data to conclude whether the deadline had been met.

4a) What explains these failures by the BLM to meet the statutory deadline and achieve its own goals for “expeditiously” processing requests for commercial use authorizations?

4b) Please describe, in detail, all steps that the BLM has taken to address the deficiencies highlighted in the GAO report cited above.

Question 5. In response to questioning from Chairman Tiffany, Deputy Chief French stated that the USFS is already investing heavily in a digital permitting system to improve the approval process of requests for communications use authorizations.

5a) Please describe all efforts currently underway at the BLM to develop or use digital systems to process and approve requests for communications use authorizations.

5b) If no such efforts are underway, please explain why not.

Question 6. During his testimony, Associate Director Caldwell stated that the DOI supports H.R. 7976’s goal to increase public understanding of the Civil War Defenses of Washington (CWDW). However, Associate Director Caldwell explained that, rather than designating the sites as a standalone NPS unit, the DOI believes that current management system, under which the CWDW are spread across three NPS units, “effectively protects the existing resources while affording interpretative, education . . . and other opportunities across the sites.” Which other NPS units are currently managed under a cross-unit management system?

Question 7. In his testimony, Michael Romano, Executive Vice President of NTCA—The Rural Broadband Association (NTCA), described the considerable difficulties that small, community-based telecommunications and broadband services providers face when working with federal authorities. Mr. Romano declared that “NTCA members can share many ‘lessons learned’ regarding permitting processes that are inefficient, outdated, understaffed, or simply not working otherwise as intended.”

7a) Is the BLM aware of this general perception among rural broadband providers? Does the BLM acknowledge that applying for communications use authorizations on BLM-administered land is often a lengthy and difficult process?

7b) Does the BLM regularly solicit feedback from broadband providers about their experiences in trying to obtain communications use authorizations on BLM-administered land? If so, please describe that process.

7c) If not, will the BLM commit to establishing a system for soliciting and obtaining such feedback?

Question 8. In his testimony, Mr. Romano shared the concern of many NTCA members that “the delays and costs that already exist within permitting processes will only grow as efforts to deliver on universal broadband connectivity ramp up in coming years.”

8a) Does the BLM share this concern? Why or why not?

8b) What does the BLM plan to do to address this problem? Please provide concrete steps.

Question 9. During the hearing, Chairman Tiffany asked how the NPS would ensure that private property rights and local decision making would be protected alongside the creation the National Historical Park proposed by H.R. 7976. In response, Associate Director Caldwell said that preserving the affiliated sites would be sufficient to respect private property rights. Using specific examples, please elaborate on how the NPS’s affiliated sites preserve private property rights.

Question 10. In his testimony, Associate Director Caldwell stated that “NPS continuously seeks ways to collaborate with local governments and stakeholder groups to elevate public awareness and appreciation of these special places [within the CWDW].”

10a) Please provide a few examples of how NPS has gone about this.

10b) Are certain concerns commonly raised by these groups? If so, please describe those concerns.

Question 11. Broadband developers have reported that deploying the necessary communications facilities on federal land often takes years to complete, largely due to the complex permitting system imposed by federal land management agencies.

11a) Is the BLM concerned that the significant delays and costs associated with its current permitting and application systems are dissuading many broadband providers from even applying for communications use authorizations in the first place? Please explain why or why not.

11b) Does the BLM agree that the significant delays and costs associated with its current permitting and application systems are more likely to cause greater harm to small broadband providers than to their larger competitors? Please explain why or why not.

11c) Does the BLM believe that the regulatory requirements it imposes on applicants for communications use authorizations contribute to the disparity in broadband access that is commonly referred to as the “digital divide”? Please explain why or why not.

Question 12. In its Statement for the Record, the BLM explained that, despite supporting the goals of H.R. 3299, the agency believes that the one-year timeframe the legislation establishes for creating the online portal “is not achievable given current resources.”

12a) Given that the USFS has already established an interim online portal and has not raised concerns about H.R. 3299’s timeline, why does the BLM believe it cannot meet the deadline?

12b) According to Mr. Romano, the workflows that federal agencies will encounter in reviewing communications use authorizations “likely will become more overwhelming” in the next few years, which “could lead to even greater delays and costs.” Given this dynamic, wouldn’t the BLM be better served by establishing an online portal as quickly as possible?

Question 13. Associate Director Caldwell’s testimony states that, if H.R. 7976 were to be advanced in Committee, the NPS would “like to discuss whether the study that would be authorized by [H.R. 7976] could be tailored to meet more specific goals.” Please describe in greater detail the “more specific goals” that the NPS would like the study to be aimed at achieving.

Question 14. In his testimony, Mr. Romano stated that delays and costs associated with lengthy processing of applications for communications use authorizations “can be confounding,” especially when the applicant proposes merely to install facilities in “previously disturbed terrain.” As an example of this, Mr. Romano mentioned that applications to make a simple switch from copper wiring to fiber in existing ROWs still take a long time to process.

14a) Does the BLM agree that this indicates that its current application-processing system is flawed? Please explain why or why not.

14b) Does the BLM have any proposals for streamlining its review of applications for maintaining, updating, or repairing existing communications facilities on previously disturbed terrain? If so, please describe those proposals in detail. If not, please explain why not.

Question 15. The BLM states that it “added the ability to submit SF-299 applications for communications use” online in June 2023. What prompted the BLM to institute this change?

Question 16. The BLM admits in its Statement for the Record that its existing online portal handles only the submissions of Standard Form 299 (SF-299) applications for communications use, whereas the applications are processed and ultimately approved or rejected by staff working offline.

16a) In his testimony, Mr. Romano recounted how NTCA members have struggled to identify the proper agency personnel to contact for questions regarding their applications. Does the BLM believe that the offline processing of these applications is more efficient than using an online portal? Please explain why or why not.

16b) According to testimony from Deputy Chief French, the USFS is “investing in more robust digital permitting services that will include several features, such as the ability for proponents to submit and track their proposals and applications online . . .” Does the BLM have similar plans to move more of its application processing online? If so, please describe those plans. If not, please explain why not.

Question 17. Associate Director Caldwell’s testimony on H.R. 8012 states that the NPS would prefer that the Jackie Robinson Ballpark be added to the African American Civil Rights Network “through the previously authorized administrative process, rather than adding it through H.R. 8012.”

17a) Please explain why the NPS takes this position.

17b) Please provide an estimate of the amount of time it would take to add the Jackie Robinson Ballpark to the African American Civil Rights Network through “the previously authorized administrative process.”

Question 18. In his testimony, Mr. Romano stated that many NTCA members have reported that “permitting offices and agencies can fall silent for long stretches of time regarding the status of applications” after the initial submission. Further, these “episodes of silence” are often followed by repeated data requests that would have been easier for applicants to have addressed at the beginning of the process.

18a) Please describe all steps that the BLM is currently taking to ensure that applicants for communications use authorizations have greater visibility into their application status and are more promptly informed of any additional information they need to provide for their applications to be fully processed.

18b) Does the BLM believe that an online portal could help resolve these issues? If not, please describe the BLM’s alternative solution.

Questions Submitted by Representative Moylan

Question 1. Associate Director Caldwell, can you please speak on any ongoing projects and efforts by the National Park Service to help facilitate the connection of our rural communities, especially those in the Pacific?

Question 2. What actions can be taken by Congress to make these efforts more effective?

Mr. TIFFANY. Thank you, Associate Director. I will now recognize Mr. Michael Romano, Executive Vice President of NTCA, the Rural Broadband Association.

Mr. Romano, you have 5 minutes.

STATEMENT OF MICHAEL ROMANO, EXECUTIVE VICE PRESIDENT, NTCA, THE RURAL BROADBAND ASSOCIATION, ARLINGTON, VIRGINIA

Mr. ROMANO. Chairman Tiffany, members of the Subcommittee, thank you for the opportunity to testify. My testimony focuses upon two bills: H.R. 3283, the Facilitating Digital Applications Act; and H.R. 3299, the Digital Applications Act.

I am appearing today on behalf of more than 850 community-based broadband providers serving the most rural parts of the country. Despite facing typical densities of about six locations per square mile and having fewer than 30 employees on average, these small businesses have deployed cutting-edge broadband networks that rival anything available in urban areas today. These network deployment efforts have provided substantial experience with permitting on Federal lands, among other rights-of-way. At the same time, these providers have more to do to upgrade their remaining customers, and they are actively engaged in expanding their networks to reach unserved locations in other areas, giving them a substantial interest, as well, in finding ways to make permitting procedures more efficient.

We are grateful for the chance to share some of these experiences and to highlight how H.R. 3283 and H.R. 3299 can help in providing greater access and transparency in applications to place broadband facilities on Federal lands. NTCA is thankful to Representatives Miller-Meeks and Cammack, respectively, for sponsoring these bills, and to Representatives Dingell and Matsui, respectively, for showing bipartisan support for them.

In many rural areas, providers often have no choice but to install networks that touch BLM, National Park Service, or Forest Service property. Re-routing even just a small portion of a project can be infeasible due to massive distances, impassable terrain, or the inability to access private land if any happens to be nearby. My testimony shared examples of challenges that providers have faced in obtaining approvals to deploy broadband networks. Such concerns could become even more severe, however, as private investment ramps to meet increasing broadband demand, and as the largest broadband funding program in our nation's history prepares to launch.

The broadband related bills under consideration today tackle an important piece of the broader permitting puzzle, specifically, how providers seek permission to deploy broadband networks on Federal lands using Form 299. My testimony includes data from a GSA report that tracks activity related to Form 299. I won't go into this data in detail as part of the opening remarks, but suffice to say they show that more applications are being submitted than approved each quarter, and that a backlog is therefore growing. The GSA report also highlights some of the challenges that Federal property managing agencies encounter even just in databasing the substantial paperwork.

NTCA members report that Form 299 itself is relatively straightforward to complete, although, to be clear, subsequent levels of environmental and historical review take significantly more work and time. But the lack of an online portal has led at times to frustration, confusion, and delay. For example, one NTCA member

reported difficulty in identifying the proper agency personnel for receipt of an application. Obviously, an online portal would mitigate such concerns.

Similarly, another member indicated that the use of an online portal for state-level permitting has made it more efficient to track progress, highlighting the promise of such an approach at the Federal level, as well. H.R. 3283 would prompt the creation of such a portal by directing the Commerce Department to consult with Interior and Agriculture to submit a report to Congress regarding creation of a portal. H.R. 3299 would compel the Interior and Agriculture Departments to create such online portals within a year.

We support both of these bills and we encourage the Subcommittee to advance them. In closing, I want to highlight a few other related issues raised in my written testimony.

First, I cannot emphasize enough growing concerns about the workforce needed to process permit applications. NTCA members commonly report that Federal agencies and other permitting offices are overwhelmed by what is already before them. As tens of billions of dollars flow into much-needed broadband deployment efforts in the next few years, these concerns will likely be exacerbated. Even as an online portal will be a much welcomed improvement in Federal land permitting processes, the promise of such a portal could be undermined if there are insufficient skilled eyeballs on the other side of that portal to promptly process the information received.

Second, any online portal should not only receive Form 299, but also facilitate better communication. NTCA members report that permitting agencies can fall silent for stretches of time after applications are submitted. These episodes of silence can be followed by serial requests for additional information. NTCA hopes that any online portals created will not only facilitate the initial submission of applications, but also provide greater visibility into their status and identification of open issues still to be resolved.

Thank you for providing NTCA with the opportunity to share these thoughts on behalf of its rural, community-based broadband provider members. We look forward to working with this Subcommittee, other Members of Congress, the Federal agencies of jurisdiction, and other stakeholders to realize and sustain our nation's shared vision of universal broadband access.

[The prepared statement of Mr. Romano follows:]

PREPARED STATEMENT OF MICHAEL ROMANO, EXECUTIVE VICE PRESIDENT, NTCA—
THE RURAL BROADBAND ASSOCIATION
ON H.R. 3283 AND H.R. 3299

INTRODUCTION AND BACKGROUND

Chairman Tiffany, Ranking Member Neguse, Vice Chairman Curtis, and members of the Subcommittee, thank you for the opportunity to testify at this legislative hearing. My testimony today will focus upon two bills—H.R. 3283, “Facilitating the Deployment of Infrastructure with Greater Internet Transactions and Legacy Applications Act” or the “Facilitating DIGITAL Applications Act,” and H.R. 3299, “Deploying Infrastructure with Greater Internet Transactions and Legacy Applications Act” or the “DIGITAL Applications Act.”

I am Michael Romano, the Executive Vice President of NTCA—The Rural Broadband Association. I oversee NTCA's public policy, government affairs, and

business development initiatives, the educational mission of the Foundation for Rural Service, and several areas of internal association operations. My prior work experience and educational background are detailed in the curriculum vitae provided to the Subcommittee. My remarks today are on behalf of the NTCA membership, which consists of over 850 small community-based providers of telecommunications and broadband services in some of the hardest-to-serve parts of rural America across 45 states. Despite having approximately 6,000 customers on average over thousands of square miles, facing typical densities of approximately six locations per mile (less than the entire State of Montana), and operating with an average of fewer than 30 employees, these providers have deployed advanced networks in deeply rural spaces; NTCA's latest survey indicates that on average more than 80% of members' customers have fiber connections and 100 Mbps symmetrical broadband service levels or greater.

This good work has not been easy, however. It has taken extraordinary effort by these providers to serve their neighbors, friends, and family—and this work rests atop a unique mix of commitment to their communities, entrepreneurial spirit, and effective governmental policies and programs that help make and sustain the business case for investing and continuing to operate networks in deeply rural areas. Moreover, it is worth noting that for all this compelling progress, there is more to be done. Even as more than 80% of NTCA members' rural customers on average can receive service that rivals what many urban and suburban users enjoy, and even as this percentage continues to climb year after year, much work remains to deliver the same high levels of service to the remaining customers. And, in rural areas not fortunate enough to be served historically by community-based providers like those in NTCA's membership, the picture is less promising still—in these other areas, far more rural Americans long for the kind of broadband access needed to participate meaningfully in an increasingly online world.

NTCA members' progress in upgrading networks in their own historical serving areas over the past several years is remarkable, and they have been proactive in seeking to expand into rural markets traditionally served by larger providers as well. As just one example, NTCA members collectively have been among the most active applicants for, and among the largest recipients of, ReConnect program funding through the U.S. Department of Agriculture ("USDA"). Looking forward, I expect that many NTCA members will seek to participate in the Broadband Equity, Access, and Deployment ("BEAD") program. In short, NTCA members are leaving no stone unturned in seeking to improve connectivity in small towns and unincorporated areas across rural America—even beyond their historical footprints.

But this brings us to this important hearing. Based upon this extensive history of network deployment—upon not only the federal lands that are under the purview of this Subcommittee, but also along interstate, state, and local roadways, under railroad crossings, on poles, and/or in private rights-of-way—NTCA members can share many "lessons learned" regarding permitting processes that are inefficient, outdated, understaffed, or simply not working otherwise as intended. We are grateful for the chance to share some of these experiences, and to highlight how H.R. 3283 and H.R. 3299 can help in providing greater access and transparency with respect to the process of applying to place broadband facilities on federal lands—and ultimately in expediting such broadband deployment. NTCA is thankful to Representatives Miller-Meeks and Cammack, respectively, for sponsoring these bills, and to Representatives Dingell and Matsui, respectively, for showing bipartisan support for these bills as original co-sponsors.

As context for why measures like these are so important, I will first provide a few brief examples from rural network deployments to highlight how permitting processes can affect the achievement of universal broadband. NTCA members are particularly concerned that the delays and costs that already exist within permitting processes will only grow as efforts to deliver on universal broadband connectivity ramp up in coming years. After discussing these examples, I will discuss how H.R. 3283 and H.R. 3299 would help in addressing an important part of these processes. Finally, I will highlight a few additional considerations for Congress in relation to permitting.

EXAMPLES OF BROADBAND PERMITTING ISSUES

NTCA members across the nation indicate that our country's broadband availability and affordability goals could be undermined by inefficient or ineffective processes to apply for and obtain permits for network deployment. This appears to be a shared concern for providers of all kinds—large and small, rural and urban, wireline and wireless.

Obtaining access to federal lands for broadband facilities installation—or otherwise obtaining a permit when a project is considered a "major federal action" under

the National Environmental Policy Act (“NEPA”) and/or a “federal undertaking” pursuant to the National Historic Preservation Act (“NHPA”)—is a common concern of rural providers. Given the nature of the areas these providers serve, they often have no choice, for example, but to install fiber under a road touching Bureau of Land Management (“BLM”), National Park Service, or Forest Service property, as re-rerouting even just a small portion of a project may be infeasible due to substantial distances, impassible terrain, or the inability to obtain easements on privately held land (if any is nearby). (It is also worth noting that providers must comply with NEPA and NHPA processes even if they are not installing facilities on federal lands; for example, if the deployment is funded by a ReConnect or BEAD grant, providers must adhere to NEPA and NHPA regardless of whether the project is on federal lands.) Members recount delays of up to two years in some cases to apply for and obtain permissions to build. Indeed, even if a project touches federal land for only a short distance as part of a larger deployment (or not at all in some cases), the entire project can still be delayed by the need to obtain approvals for the part under an agency’s purview. As just a few brief examples to provide context:

- One NTCA member sought to place fiber under a road on BLM land. The project was meant to improve redundancy and reliability of the operator’s network, and the portion touching BLM land was a small percentage of the overall project. The initial permit application was not accepted as complete for nearly a year, however, during which time the provider received sequential requests for additional information.
- Another NTCA member utilized ReConnect funding to connect consumers via fiber in a rural area. Although the entire project was in a previously disturbed right-of-way and subject to a NEPA “Categorical Exclusion” (the most streamlined level of NEPA review), the provider was not granted final approval to begin construction and receive funds for 9 months. This resulted in an even greater delay than that, however, as the project is in a part of the country where frozen ground prevents construction for approximately 5 months of the year—meaning construction could not commence for another several months thereafter.
- One member experienced significant delays receiving permits for two separate projects funded by the ReConnect program. In each case, the projects were primarily in previously disturbed terrain, but historical preservation and consultation processes under NHPA nevertheless took approximately two years to complete.
- Another NTCA member was informed that final release of ReConnect grant funds would require securing more than two dozen wetlands permits, which could not be obtained without submitting more detailed engineering and network design plans, even as such plans were already included in the ReConnect grant application in the first instance.
- An NTCA member reports having to plan for phases of a construction project so that any work on U.S. Forest Service lands will be undertaken last because of a lack of sufficient staffing in the agency to process the voluminous amount of information required in connection with environmental reviews; in turn, these delays have made already-difficult parts of the projects even more expensive due to inflationary impacts as calendar quarters and years go by awaiting approval.

As these examples highlight, NTCA members and providers like them can face lengthy delays—and the need to expend substantial sums beyond the actual costs of deployment—to access federal lands or other rights-of-way for broadband infrastructure installation. Especially in the case of installation of facilities in previously disturbed terrain, delays in application processing can be confounding and counter-productive to upgrading of existing networks. NTCA members have serious concerns that, without proactive planning and concrete action, issues of this kind could become more severe as private investment ramps to meet ever-increasing broadband demand—and as the largest broadband deployment funding program in our nation’s history prepares to launch to amplify and augment these private sector efforts.

H.R. 3283 AND H.R. 3299

The broadband-related bills under consideration today aim to tackle an important piece of the permitting puzzle—how providers apply for and obtain permission to deploy networks on federal lands. Specifically, Form 299 (SF-299) was created by the General Services Administration (“GSA”) pursuant to a 2012 mandate from Congress for a common application to install, construct, or maintain certain commu-

nications facilities on federal property. A report prepared for the third quarter of 2023 by GSA indicated the following activity in recent quarters across federal property-managing agencies related to Form 299 submissions:

Table 1: Aggregate Summary of Reporting Results

Description	Q4FY 22	Q1 FY23	Q2 FY23	Q3 FY 23
Total Applications Received Per Quarter	262	149	167	100
Approvals				
Aggregate Number of Applications approved	165	80	87	52
Average # days applications pending before approval	233	202	116	120
Applications approved < 270 days	114	64	87	52
Applications approved > 270 days	51	16	0	0
Applications authorized	74	58	58	46
Rejections				
Applications rejected	0	0	0	2
Average # days applications pending before rejection	N/A	N/A	N/A	100
Applications withdrawn	0	13	16	6
Pending				
Applications pending at the end of the reporting period	341	397	461	501
Average number of days pending	321	321	298	272
Note: The "N/A" denotes that the average number of days applications are pending before rejection cannot be calculated when agencies do not reject any applications during the reporting period.				

Source: GSA, Executive Order 13821, "Streamlining and Expediting Requests to Locate Broadband Facilities in Rural America," Q3 FY 2023 Quarterly Report (available at: https://www.gsa.gov/system/files/Executive_Order_13821_Quarterly_Report_Q3FY23.pdf)

Data such as these underscore the importance of processing applications as efficiently as possible, with dozens of applications authorized each quarter but far more submitted and more still under consideration from prior quarters. Moreover, this same GSA report indicated (at page 7) that BLM, which is "typically responsible for 80% of the volume of reported applications," had switched to a new record-keeping system "that may have contributed to field offices having challenges querying their databases" and "likely resulted in fewer applications being reported than are present in their inventory."

NTCA members report that Form 299 itself is relatively straightforward to complete (even as subsequent layers of environmental and historical preservation review can take much more work and time as noted in the examples I shared earlier). But the lack of an online portal for submission has led at times to frustration, confusion, and apparent delay. For example, one NTCA member reported concern in identifying the proper Forest Service personnel to whom to route an application; obviously, an online portal would mitigate unnecessary delays and confusion in this regard. Similarly, another member has indicated that the use of an online portal in connection with State-level permitting processes has yielded efficiencies in tracking progress of review and approval, highlighting the promise of such an approach at the federal level as well.

H.R. 3283 would help to prompt the creation of such an online portal by directing the Department of Commerce to consult promptly with the Secretaries of the Interior and Agriculture (the two most significant property-managing agencies in NTCA members' experience) and then to submit a report to Congress within 90 days regarding the status of efforts in those agencies to create an online portal for submission of Forms 299 and any barriers thereto. Meanwhile, H.R. 3299 would take the additional step of compelling the Interior and Agriculture departments to create such online portals within one year. NTCA supports both H.R. 3283 and H.R. 3299, and we encourage the Subcommittee to advance these bipartisan measures as important steps in improving the effectiveness of Form 299 and ultimately making it easier for providers and property-managing agencies alike to process broadband deployment applications.

ADDITIONAL CONSIDERATIONS

Before ending my testimony, I wanted to address a few other matters related to the ultimate effectiveness of any online portals and the streamlining of permitting processes generally.

First, I had the privilege to testify last year before the Subcommittee on Communications and Technology of the House Committee on Energy and Commerce. That hearing reviewed a few dozen bills aimed at streamlining permitting issues to expedite broadband deployment. It is useful to highlight one particular aspect of that testimony here related to the definition of “communications facility,” which is drawn from the Middle Class Tax Relief and Job Creation Act of 2012 and is cited in the legislation before us today (H.R. 3283 and H.R. 3299). While the section of the 2012 law in which it appears is entitled “Wireless Facilities Deployment,” and while a good portion of that section speaks to the placement of wireless towers or base stations, the definition of a “communications facility installation” is expressly defined to include “wireline transmission” as well. I raise this here again simply to underscore that it will remain important for all parties—from Congress to the property-managing agencies to providers—to recall that provisions seeking to improve online application processes or to streamline permitting otherwise must apply with equal force to wireline and wireless deployments alike.

Second, I would be remiss in discussing the processing of applications if I did not raise concerns about the workforce needed to fulfill these obligations. NTCA members have seen firsthand that federal agencies and other permitting offices are overcome by the requests and applications before them now, leading to the kinds of delays described above. One NTCA member, for example, shared that BLM had only two staff people to process applications in a large western state—and this was for access not only for communications uses, but for oil and gas extraction as well. As tens of billions of dollars flow into much-needed broadband deployment efforts in the next few years, the workflows to review permit applications likely will become more overwhelming and could lead to even greater delays and costs. In addition to improving the technology by which applications can be submitted and processed, we must ensure that these agencies and offices have the resources and skill sets needed to meet this demand. The promise offered by an online portal will be undermined if there is insufficient trained and skilled agency staff on the receiving end to process those applications.

Finally, any online portal should be designed not only to receive Forms 299 in the first instance, but also to facilitate better communication among stakeholders regarding the status of them. NTCA members report that permitting offices and agencies can fall silent for long stretches of time regarding the status of applications or what else might be needed to deem an application “complete,” despite repeated inquiries by providers and their engineers and contractors. These episodes of silence can be followed at times by serial requests for additional information that could have been caught earlier or avoided altogether with better guidance and communication upfront. This dynamic in turn undermines the purpose of the “shot clock” established by federal law for review and approval of applications because the application is not deemed complete and thus subject to a mandatory 270-day review period until much longer after filing. NTCA therefore hopes that any online portals created will not only facilitate the submission of applications, but that they will also provide greater visibility into the status of such applications—including identification of where they stand in terms of review and any items that might be deemed as lacking or missing in the submission.

Thank you again for providing NTCA with the opportunity to share these thoughts on behalf of its rural community-based broadband provider members. We look forward to working with this Subcommittee, other Members of Congress, the federal agencies of jurisdiction, and other stakeholders to realize and sustain our nation’s shared vision of universal broadband access.

QUESTIONS SUBMITTED FOR THE RECORD TO MR. MICHAEL ROMANO, EXECUTIVE VICE
PRESIDENT, NCTA—THE RURAL BROADBAND ASSOCIATION

Questions Submitted by Representative Moylan

Question 1. Mr. Romano, can you please discuss actions Congress can take to support local broadband development and deployment in rural areas, especially in island communities?

Answer. I thank Delegate Moylan for this question and for the opportunity to provide thoughts regarding further steps that Congress can take—in addition to passing the two bills (H.R. 3283 and H.R. 3299) that NTCA supported at this legislative hearing—to facilitate broadband deployment on federal lands and in other rural areas, including especially island communities.

As an initial matter, I had the privilege of testifying in April 2023 before the Communications and Technology Subcommittee of the House Energy and Commerce Committee at a hearing entitled “Breaking Barriers: Streamlining Permitting to Expedite Broadband Deployment.” In my testimony at that hearing, I highlighted a number of issues that providers far too frequently face in deploying broadband in rural areas (including specifically federal lands) and spoke in support of several still-pending bills that could help address these concerns.

For example, I shared in my prior testimony that obtaining access to federal lands for broadband facilities installation—or otherwise obtaining clearances pursuant to the National Environmental Policy Act (“NEPA”) and/or the National Historic Preservation Act (“NHPA”) is a common concern for rural providers. Given the nature of the areas these providers serve and the significant distances between customer locations and network points of presence, rural providers often have no choice but to cross a Bureau of Land Management road or touch Forest Service property, for example. Yet the process of obtaining permissions through the environmental, historic preservation, and other consultation processes required by NEPA and NHPA can take many months or even years to complete; the myriad overlay of federal (including military in some places like Guam), state, and local regulatory regimes complicate this even further. While federal agencies have undertaken commendable efforts in recent months to attempt to streamline these processes through “program comments” and “categorical exclusions,” these measures do not always apply, and providers and agencies alike may not even be fully aware when such relief is available. Thus, bills like the “Reducing Barriers for Broadband on Federal Lands Act” (H.R. 3297) and the “BROADBAND Leadership Act” (H.R. 3295) would likely be very useful to expedite deployments by giving more meaning to “shot clocks” that govern permit review and providing clearer and consistent exemptions from the most stringent layers of review for certain kinds of projects.

Relatedly, we often hear from small rural providers—including network owners in Guam and other island communities—particular frustration with the process for upgrading existing network facilities in existing rights-of-way. As I mentioned at this legislative hearing on July 9, it makes little sense to require providers to jump through significant hoops simply to replace one technology with another in an existing right-of-way where there is previously disturbed terrain. This concern is both a deterrent to upgrading networks in the ordinary course of business to deliver better services to consumers, and it can be of even greater importance and impact when a provider is looking to restore existing networks on islands like Guam that can from time to time contend with severe weather such as typhoons. Especially given the desire for resilient networks (and particularly in areas like Guam where mission-critical networks serve strategic national interests), the ability to upgrade plant in existing rights-of-way with buried infrastructure that can even better withstand natural disasters should be seen as an essential aspect of improvements to permitting processes.

We would also submit that Congress could play an important role by ensuring that the fees associated with permitting and use of public rights-of-way are reasonable and do not saddle the relatively fewer customers in rural areas with even higher costs for deployment. One example of legislation that could address this concern is the “BEAD FEES Act” (H.R. 3298), which would, at least in the context of the upcoming Broadband Equity, Access, and Deployment (“BEAD”) program, prompt states and territories to ensure that fees for access to public rights-of-way and other areas necessary for deployment of BEAD-funded projects will be cost-based and publicly disclosed.

Finally, as I mentioned at the July 9 legislative hearing, even the best streamlining measures still depend ultimately upon sufficient resources in terms of skilled staff within federal, state, and local permitting agencies to process applications promptly. As the hearing reinforced, many of these agencies already face a growing backlog of applications—and as programs like BEAD are poised to inject tens of billions of dollars more into much-needed broadband deployment—these backlogs are likely only to grow unless smart streamlining is paired with attention to the skilled workforce needed at all levels of government to make sure the streamlining works as intended and designed. We would urge Congress to probe further into these concerns as well, so that any legislation adopted to improve permitting procedures can in fact realize its promise.

Mr. TIFFANY. Thank you, Mr. Romano. I would now like to recognize Mr. Jim Jaworski, General Manager of the Daytona Tortugas in Daytona Beach, Florida.

Mr. Jaworski, you have 5 minutes.

**STATEMENT OF JIM JAWORSKI, GENERAL MANAGER,
DAYTONA TORTUGAS, DAYTONA BEACH, FLORIDA**

Mr. JAWORSKI. Chairman Tiffany and members of the Subcommittee, my name is Jim Jaworski, General Manager for the Daytona Tortugas professional baseball team, Single-A affiliate of the Cincinnati Reds located in Daytona Beach, Florida. This is my 15th year with the organization, and I am honored to be here with you today. Thank you for the invitation, and a special thanks to Representative Waltz. Today, I am here to talk about Jackie Robinson and a historic event that took place in Daytona Beach.

Baseball has been played on City Island Daytona Beach since 1914, making it the third oldest active professional baseball field in the United States, only behind Wrigley Field and Fenway Park. On March 17, 1946, Jackie Robinson broke the professional baseball modern-era color barrier when he stepped to the plate at then-City Island Ballpark, later to be named Jackie Robinson Ballpark, in Daytona Beach as a Montreal Royal, the Brooklyn Dodgers' top farm club, in an inter-squad game against the Dodgers. This historic event took place at what is now called Jackie Robinson Ballpark, and was largely made possible by the local advocacy of Mary McLeod Bethune, founder of Bethune-Cookman University, with the local city commission.

On that Sunday morning in Daytona Beach, Black churchgoers listened to sermons about Robinson before heading to the ballpark hand in hand. Dodgers officials invited African American veterans from an Army hospital to attend a game. These veterans, about 250 in number, sat wherever they wanted for the game, disregarding the segregation of the bleachers. Thus, before the game even began, City Island Ballpark was integrated.

One year after his debut, Robinson began his Major League Baseball career in Brooklyn, demonstrating that African American players could excel in the League. He led in stolen bases, won the National League Rookie of the Year, and later earned the Most Valuable Player title. He made six all-star appearances and secured a World Series victory in 1955. His achievements swiftly earned him induction to the Baseball Hall of Fame in 1962.

In 1990, City Island's historic field was renamed Jackie Robinson Ballpark, and features a statue of Robinson behind home plate. The statue portrays Robinson passing a baseball to two young children, symbolizing his enduring impact on future generations. Each year on Jackie Robinson's Major League Baseball debut anniversary, baseball honors his monumental contributions. In 1997, then-Commissioner Bud Selig retired Robinson's number 42 across Major League Baseball in a ceremony before a Dodgers Mets game.

In addition to the number 42 being retired in Daytona Beach, we also have retired Robinson's number 9, worn during his time in Daytona Beach. On April 15, all of Major League Baseball honors Robinson by wearing the number 42. In a similar way, the Daytona Tortugas honor Robinson and commemorate the events of the

barrier-breaking game by wearing the number 9. In 2022, Minor League Baseball launched The Nine, an initiative and outreach program celebrating Black baseball pioneers and civil rights leaders, named after Robinson's Minor League number in Daytona Beach.

As we look forward to continuing to champion Jackie's legacy in Daytona Beach and across the country, the passage of H.R. 8012, the Jackie Robinson Commemorative Site Act, would be of enormous benefit to this effort and our community. Designating Jackie Robinson Ballpark as a national landmark would provide even more opportunities to showcase all he did for the game and for bettering the communities in which we live.

To this day, the home plate at Jackie Robinson Ballpark stands in the same spot that it did on that historic day in 1946. Every year, hundreds of athletes step up to the plate into Jackie Robinson's footsteps. This story continues at Jackie Robinson Ballpark as the HBCU Bethune-Cookman University's baseball team continues to practice and play their games at the ballpark. This is a partnership that Mary McLeod Bethune, recently memorialized in Statuary Hall, would certainly be proud of.

As a Single-A affiliate for the Cincinnati Reds, Jackie Robinson Ballpark continues to be the first step for Minor League players, and a memorable one at that. As we take Jackie Robinson Ballpark into the future, our goal is to preserve the history that took place on the grounds and showcase it for years to come. The ballpark is currently undergoing roughly \$30 million of improvements to ensure that baseball will be played for generations to come in Daytona Beach. This private-public effort is being led by Mayor Derrick Henry, City Manager Deric Feacher in Daytona Beach, the club and leaders from the Cincinnati Reds, and Major League Baseball. These improvements are transformational for us, and envisioned to include a Jackie Robinson Museum on site.

A National Landmark designation will further increase visibility and traffic to the ballpark, making the local economic impact of the park even more compelling. Jackie Robinson Ballpark is so much more than baseball, and as Jackie famously once said, "A life is not important except in the impact it has on other lives." The national landmark status and passing of the Jackie Robinson Commemorative Site Act would only help cement this philosophy through shining a light on his life for generations to come. Thank you.

[The prepared statement of Mr. Jaworski follows:]

PREPARED STATEMENT OF JIM JAWORSKI, GENERAL MANAGER, DAYTONA TORTUGAS
ON H.R. 8012

My name is Jim Jaworski, General Manager for the Daytona Tortugas Professional Baseball Team, Single-A Affiliate of the Cincinnati Reds located in Daytona Beach, Florida. This is my 15th year with the organization, and I am honored and extremely excited to be here with you today. Thank you for the invitation.

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Jackie Robinson Ballpark is so much more than baseball and as Jackie famously once said, "A life is not important except in the impact it has on other lives." The National Landmark status and passing of the Jackie Robinson Commemorative Site Act would only help cement this philosophy, through shining a light on his life, for generations to come.

Thank you.

Mr. TIFFANY. Thank you, Mr. Jaworski.

By the way, did Elly De La Cruz go through Daytona Beach on his way to Cincinnati?

Mr. JAWORSKI. Yes he did.

Mr. TIFFANY. Good to know.

Mr. JAWORSKI. He was fun to watch.

Mr. TIFFANY. I am sure he didn't stay long.

Mr. JAWORSKI. He did not. Thank you.

Mr. TIFFANY. Finally, I would like to recognize Mr. Joe Quinn, a Visionary Network member at the National 9/11 Memorial and Museum.

Mr. Quinn, you have 5 minutes.

**STATEMENT OF JOE QUINN, VISIONARY NETWORK MEMBER,
NATIONAL SEPTEMBER 11 MEMORIAL AND MUSEUM, NEW
YORK CITY, NEW YORK**

Mr. QUINN. Chairman Tiffany, Ranking Member Neguse, and members of the Committee, thank you for allowing me to testify today on H.R. 5401, the 9/11 Memorial and Museum Act. Thank you to the Committee for your support in the past, and thank you to Representatives D'Esposito and Goldman for your continued support.

H.R. 5401, sponsored by Representative D'Esposito, is an important piece of legislation that will ensure the Federal Government partners with the 9/11 Memorial and Museum for its ongoing protection, safety, and security for its millions of annual visitors from across the country and across the world.

My name is Joe Quinn. I am a 9/11 family member and a military veteran. During my senior year at the United States Military Academy at West Point, 9/11 happened. I remember that day like it was yesterday, seeing the Twin Towers burning at the top like smokestacks from my television.

My brother, Jimmy, worked on the top floor of the North Tower. My brother was everything to me. He wasn't only just my brother, but he was also my best friend. During the 1993 bombing of the World Trade Center, my brother and I were just teenagers with our entire futures ahead of us. We really didn't understand why someone would attack the World Trade Center, nonetheless why they would attack it again, providing a false sense of security when my brother would accept his first job out of college in finance with Cantor Fitzgerald at just 23 years old. My brother Jimmy would tell people that he worked on top of the world, and that is how he felt until it all came crashing down on September 11, 2001.

From my room at West Point, I watched the North Tower collapse with my brother inside of it. The next day, I made my way down to Manhattan. I made my way to as close to ground zero as possible before being stopped by a police officer who told me I couldn't go through. I told him my brother was in there. We both stared at the fire, smoke, and rubble, and knowingly said nothing to each other. We both knew my brother couldn't be in there.

That day, I vowed to never let something like this happen again. So, after graduating West Point I was commissioned as an officer in the United States Army, doing two tours in Iraq as a soldier and one tour in Afghanistan as an advisor. After getting out of the Army, I studied terrorism at Harvard University, and then became an instructor at West Point's Combating Terrorism Center. And

one of my greatest takeaways from that period of study is the importance of symbolism for targets of terrorism.

While it didn't make sense to me as a teenager, it now made sense to me why terrorists would attack the World Trade Center in 1993 and then again in 2001. It is because the World Trade Center was a symbol of freedom, economic power, and the power of our diversity as a nation where every race, religion, and creed was attacked on 9/11, to include citizens from more than 90 countries.

The site of the World Trade Center, the 9/11 Memorial and Museum, will continue to be a target not only because it represents our strength and our diversity, but it now represents our resilience and unity as a country.

Twenty-three years later, I still struggle with the loss of my brother. It is not only that he was killed, it was how he was killed. I picture him being scared. He was asthmatic and scared of heights. As the smoke billowed up, he had to peer down 102 stories and choose between smoke inhalation and jumping to his own death. And I couldn't do anything to protect him.

Twenty-three years later, I am now living back in New York City with my family. I followed my brother's footsteps, working in finance for the firm called Drexel Hamilton, where we have the mission of hiring veterans, and where I bring veterans to the 9/11 Memorial on a monthly basis. I am also lucky enough to be married to a Gold Star family member, where my wife's oldest brother was killed in Iraq. We have three wonderful kids, 7, 5, and 3 years of age, where we take them to the 9/11 memorial often to visit their Uncle Jimmy, since his remains were never found.

In conclusion, I was humbled when asked to testify today, but I hesitated because life is busy, especially with three little kids. And today is my 13th wedding anniversary, so I am in a bit of trouble on the way home.

[Laughter.]

Mr. QUINN. But I am here because I didn't want to be the one who didn't support this 9/11 bill. I failed to protect my brother. But collectively, we can protect the children, veterans, and millions of our fellow citizens going forward, and preserve the 9/11 Memorial Museum as a beacon of national unity.

Thank you for your support for this important piece of legislation, and thank you for honoring America's promise to never forget. Thank you.

[The prepared statement of Mr. Quinn follows:]

PREPARED STATEMENT OF JOE QUINN
ON H.R. 5401

Chairman Tiffany, Ranking Member Neguse, and Members of the Committee, thank you for allowing me to testify today on H.R. 5401, the 9/11 Memorial & Museum Act. Thank you to this Committee for your support in the past, and thank you to Representatives D'Esposito and Goldman for your continued support and for providing testimony today.

One-third of the U.S. population was too young to remember or has been born since 9/11/01. That's 100 million Americans having no lived memory of the worst terrorist attack in history—a day that changed our lives forever.

H.R. 5401, the 9/11 Memorial and Museum Act, sponsored by Representative Anthony D'Esposito, is an important piece of legislation that will ensure the federal

government partners with the Memorial & Museum for the ongoing protection, safety, and security of the 9/11 Memorial and Museum, its millions of annual visitors, and its staff. The 9/11 Memorial and Museum is considered a high-value target by malicious actors and terrorist groups.

My name is Joe Quinn. I'm a military veteran and member of the 9/11 Memorial community. During my senior year at the United States Military Academy at West Point, 9/11 happened. I remember that day like it was yesterday, with my roommate Joe Peppers calling out to me, saying, "Joe, turn on the TV, the Twin Towers are on fire." I turned on the television to see the towers burning at the top like smokestacks. Then my phone rang. It was my mother. She said, "Are you watching this? We're at war. You're at West Point and we're now at war," not even thinking of the safety of my brother Jimmy who worked for Cantor Fitzgerald on the 102nd floor of the North Tower.

My brother Jimmy was everything to me: my best friend on top of being my brother. We were bunkbed mates in our shared room of our home in Brooklyn, New York.

During the 1993 bombing of the World Trade Center, my brother and I were just teenagers with our entire futures ahead of us. We really didn't understand why someone would attack the World Trade Center, nonetheless why they would attack it again, providing a false sense of security when my brother would accept his first job out of college with Cantor Fitzgerald at just 23 years-old.

My brother Jimmy would tell people that he worked on "Top of the World," and that's how we felt, until it all came crashing down on September 11th, 2001.

From my television set in my room at West Point, I watched the North Tower collapse with my brother inside of it, and I collapsed to the floor with it. My roommate Joe Peppers picked me up off the floor, and I eventually made my way out of my room and down to Ground Zero the next day.

I made my way as close to Ground Zero as possible before being stopped by a police officer who told me I couldn't go through. I told him my brother was in there. We both stared at the fire, smoke, soot and rubble and knowingly said nothing to each other. We both knew my brother couldn't be 'in there.'

That day I vowed to never let something like this happen again, so after graduating West Point, I was commissioned as an officer in the United States Army—doing two tours in Iraq as soldier and eventually a tour in Afghanistan as a civilian advisor.

After getting out of the Army, I'd study terrorism at Harvard's Kennedy School of Government and then became an Instructor at West Point's Combating Terrorism Center, and one of my greatest takeaways from that period of study is the importance of symbolism for targets of terrorism.

While it didn't make sense to me as a teenager, it now made sense to me why terrorists would attack the World Trade Center in 1993 and then again in 2001. It's because the World Trade Center was a symbol of freedom, economic power and the power of our diversity as a nation—with every race, religion and creed being attacked on 9/11 to include citizens from more than 90 countries.

The site of the World Trade Center—the 9/11 Memorial & Museum—will continue to be a target, not only because it represents our strength and diversity, but it now represents our resilience and unity.

23 years later, I still struggle with the loss of my brother, Jimmy. It's not only that he was killed, but it was how he was killed. I picture him being scared. He was asthmatic and scared of heights. As the smoke rose, he had to peer down 102 stories and choose between smoke inhalation or jumping to his death, and I couldn't do anything to protect him.

23 years later, I'm now back living in New York City with my family. I've followed my brother's footsteps working in finance, for the firm, Drexel Hamilton, where we have a mission of hiring veterans, and where I bring veterans to the 9/11 Memorial on a monthly basis.

I'm also lucky enough to be married to a Gold Star family member, where my wife's oldest brother was killed in Iraq. We have three wonderful kids now—7, 5 and 3 years of age, where one of them is named after his uncles—and who we take to the 9/11 Memorial often to visit their Uncle Jimmy, since his remains were never found.

How much is it worth to protect my children and the thousands of children who visit the 9/11 Memorial every year?

How much is it worth to protect my parents and the 8,000 9/11 family members who gather at the Memorial every year?

How much would we give to protect more than 77 million visitors from every state in the U.S., from all walks of life, from 175 countries that have visited over the last

10 years—including tens of thousands of active, retired and veterans who visit every year?

If you close your eyes, and remember how you felt on September 11th, 2001, then the answer is simple.

I'd give anything for my brother to be alive, but I've learned the hard way that there's nothing I can do for him now, after failing to protect him.

But there's something I can do now, there's something we can all do now, to protect our children, to protect our veterans, and to protect our fellow citizens from terrorist's number one target—the 9/11 Memorial & Museum site—where we can protect its legacy as place of healing, resilience and unity.

Thank you for your support for this important piece of legislation and thank you for honoring America's promise to Never Forget.

9/11 Memorial & Museum

The 9/11 Memorial & Museum remembers and honors the 2,983 people killed in the horrific attacks of September 11, 2001 and the February 26, 1993 World Trade Center bombing, as well as those who risked their lives to save others and all who demonstrated extraordinary compassion in the aftermath of the attacks. It fulfills this mission through commemoration, exhibitions, and education. Since its dedication on September 11, 2011, the 9/11 Memorial has welcomed 77 million visitors from all 50 states and 175 countries; and the Museum has welcomed more than 23 million individuals since its dedication on May 15, 2014.

In the middle of the World Trade Center site is the 9/11 Memorial plaza, eight acres dedicated to remembering every individual killed on September 11, 2001, the six individuals killed as a result of the terrorist bombing of the World Trade Center on February 26, 1993, and all who are sick or have died as a result of exposure to toxins at and around the attack sites during the recovery efforts post-9/11, and those who have become sick or have died due to exposure to toxins during recovery efforts at the three 9/11 attack sites. Anchoring the plaza are two twin reflecting pools with waterfalls, each about an acre in size and set within the footprints of the original Twin Towers. The Memorial is a powerful reminder that visitors are standing on the physical site where the attacks occurred.

Situated 70 feet below the plaza and within the archaeological heart of the World Trade Center site, the 9/11 Memorial Museum is comprised of 110,000 square feet of exhibition and public space. It tells the story of 9/11 and its continuing significance through multimedia displays, archaeological excavations, in situ historical remnants, artifacts, recorded testimonies, and compelling narratives.

The Museum houses two core exhibitions. In the footprint of the North Tower is the historical exhibition, which presents the events of September 11, 2001 as they unfolded that day, the historical antecedents leading up to the attacks, and the recovery efforts and acts of compassion, volunteerism, and public service evidenced in the days, months, and years following the attacks. The Museum's memorial exhibition, *In Memoriam*, located in the South Tower footprint, tells the personal stories of the nearly 3,000 individuals who were killed in the terrorist attacks of 2001 and 1993. Other galleries are dedicated to changing exhibitions, or special installations related to 9/11 and the World Trade Center site. The Museum also offers a slate of educational and public programming that fulfills the institution's mission. The primary goals of these programs are to accurately convey what happened on 9/11 and in its aftermath, to connect audiences to the human impact of the attacks, and to underscore the ongoing relevance of the attacks today. The Museum is an active collecting institution, caring for more than 75,000 objects.

Memorial: We are the proudly designated custodian responsible for monitoring a site with extraordinarily complex infrastructure and mechanical systems that require constant attention: 24 hours a day, seven days a week, 365 days a year. The continuous operation and maintenance of the Memorial plaza and Museum is of utmost importance, ensuring through the highest standard of care that it can exist in perpetuity.

The 9/11 Memorial & Museum was consciously designed and constructed to incorporate sustainable practices for a healthy, efficient, carbon- and cost-saving green facility. The 9/11 Memorial was awarded LEED Gold Certification in July 2015 based on sustainable design elements and practices that address the impact of the site's carbon footprint, including optimized energy usage, water conservation and storm water management, as well as a heat island effect with green roof and landscaping. The eight-acre site has ample public green space, including over 400 swamp white oak trees and 45,750 square feet of groundcover. Existing sustainability and green practices include a green roof that sits on layer of structural soil, which allows landscaping, including trees, groundcover, and grass, to grow freely without being confined to planters. Additionally, during non-drought conditions, 100% of the land-

scape irrigation demand is met by a storm water harvesting system, whereby rain that falls on the plaza flows to four harvest tanks where the water is filtrated for landscaping purposes.

Security: In 2024, the 9/11 Memorial remains one of the busiest tourist sites in New York City and, as such, safety for the thousands of daily visitors is of the utmost importance, representing one of the institution's highest annual expenses. Furthermore, with the 9/11 Memorial & Museum situated at a site that was the target of two terrorist attacks, it remains a site of significant risk. The 9/11 Memorial security staff, working in coordination with local, state, and federal law enforcement, is responsible for the safety and security of all who visit the Memorial.

Security personnel are stationed on the plaza to monitor visitors' behavior, including possible damage to Memorial parapets; from walking through protected areas; ensuring animals and pets do not enter the Memorial grounds; and enforcing the site's list of prohibited items and rules regarding unauthorized media and expressive activity on the plaza. Simultaneously, other on-duty security personnel are posted throughout the Museum interior screen visitors entering the Museum to ensure all guests comply with TSA style (e.g., x-ray, magnetometer) screening; safekeep of exhibitions and individual artifacts on display; and monitor the loading dock and employee entrance according to industry standards.

Education: 9/11 Memorial & Museum currently offers a diverse slate of programs which aim to accurately convey what happened on 9/11 and in its aftermath, to connect our audience to the human impact of the attacks, and to underscore their ongoing relevance today. Inquiry-based and interdisciplinary, they provide an accurate historical understanding and foster the critical thinking skills and empathy required to tackle this challenging content. Key programs include:

- **9/11 Anniversary Digital Learning Experience (DLE):** Offered annually on the Anniversary, this commemorative program (formerly known as Anniversary in the Schools) introduces students and teachers from around the world to 9/11 through first-person accounts of the attacks and their aftermath and a live chat with Museum staff. For many students, this is their first time learning about 9/11. For many educators, the program serves as an introduction to our work and mission. In 2023, 22% of participating students were in elementary school, 41% in middle school, and 37% in high school. To date, the DLE has reached over 3.2 million individuals from all 50 states and 60 countries, with ample room to grow.
- **9/11 Memorial & Museum Field Trips (In-Museum/Virtual):** Our inquiry-based field trips introduce 9/11 and its aftermath through guided tours. To convey this history, the programs focus on the stories of those affected and draw from the Museum's permanent collection of more than 21,500 artifacts. An increased investment in education will enable outreach to specific target markets across the country.
- **Professional Development for Educators (PD):** We offer a diverse slate of programs to help elementary, secondary, and pre-service educators teach 9/11 in their classrooms. Our Educator Conference Series invites educators into the Museum, providing interdisciplinary tools and strategies for teaching this challenging content. In summer 2023, we launched the Institute for Educators bringing educators from around the country for a more in-depth weeklong experience. Museum staff also regularly delivers professional development sessions to education conferences around the country. Presentations focus on current topics within the social studies, civic education, and 9/11 scholarship. Our research estimates that for every teacher/educator we reach, they in turn teach anywhere from 30–150 students.
- **Digital Education Toolkit:** We currently offer a range of online resources for educators and learners, including interactive lesson plans, the 9/11 primer, digital exhibitions, and interactive timelines. Funding will assist Education staff in expanding these offerings for students and teachers; for example, by creating additional lesson plans geared toward these grades and supporting the filming and archiving of Professional Development workshops on our website.
- **Youth and Family Programs:** We offer a variety of programs for visitors with children. All activities use age-appropriate language to help children learn more about 9/11 and how people responded to the attacks. Current programs include the 9/11 Memorial Art Cart, 45-minute Youth & Family Tours of the Museum, and art-based Activities at Home.

9/11 Memorial & Museum's Mission

The National September 11 Memorial & Museum at the World Trade Center bears solemn witness to the terrorist attacks of September 11, 2001 and February 26, 1993. Respecting this site made sacred through loss, the Memorial & Museum remembers and honors the nearly 3,000 victims of these attacks and all those who risked their lives to save others. It further recognizes the thousands who survived and all who manifested extraordinary compassion and leadership in the wake of the attacks. Demonstrating the consequences of terrorism on individual lives and its impact on communities at the local, national, and international levels, the Memorial & Museum attests to the triumph of human dignity over human depravity and affirms an unwavering commitment to the fundamental value of human life.

May the lives remembered, the deeds recognized, and the spirit reawakened be eternal beacons, which reaffirm respect for life, strengthen our resolve to preserve freedom, and inspire an end to hatred, ignorance, and intolerance.

Mr. TIFFANY. Thank you, Mr. Quinn, for your testimony. That concludes our panelists' testimony. We are going to move on to questions from Committee members.

First, I would like to recognize the gentleman from Minnesota, Mr. Stauber, for 5 minutes of questions.

Mr. STAUBER. Thank you, Mr. Chair, and Mr. Quinn, thank you for your testimony.

Mr. D'Esposito, thanks for your professional service as a law enforcement officer. As one of just a few myself that have worn the uniform, I can assure you we will never forget.

As a Representative of Minnesota's 8th Congressional District, I understand the importance of broadband access for rural America. That is why I am proud to support the legislation brought by my colleagues that will improve the permitting of rural broadband technology and infrastructure on Federal lands.

Mr. Romano, can you go into greater detail on why having an online portal for Form 299 submissions will help expedite this permitting process?

And without this online portal, how is a provider supposed to submit this necessary paperwork?

Mr. ROMANO. Thank you, Congressman, for the question.

The way that the form is submitted today, it could be any number of ways physically. It is USPS, UPS, Fed-Ex, or you can do it by e-mail, as well.

The legislation that is before you would help in several ways. I can think of four in particular. The first is to allow you to figure out where to send it, to make sure you can get it to the right place in the agency. The second is to get a confirmation of receipt, instead of having an e-mail or something go to essentially a blank post office box, and not knowing where it ends up. Third is to track the status of the application, hopefully, and figure out where that stands in the process of review and approval. And the fourth is to enable communication back and forth with the permitting agency to understand if there are any questions.

Mr. STAUBER. And I think that is important for the people submitting the Form 299, that they understand where it is at, and what position it is at, and when they are going to get an answer, et cetera.

So, Mr. Romano, absent this portal, there may be a completely different process virtually every time a provider needs to submit a

Form 299, as you just said. It can be completely different, based on which Federal land manager they are seeking approval from or which field office or national forest or park system unit they are seeking to construct necessary infrastructure on.

Do you think, as far as a permitting reform, do you think that it will streamline and be easier for not only the agency, but the applicants, as well?

Mr. ROMANO. Certainly, yes. The form is common, but the process is not necessarily common. Each agency has its own way of administering these things and reviewing these things. I am not sure of every agency's processes, but I know, for example, for the Bureau of Land Management, they have field offices and units that handle information. I heard from a member in one Western state there were two people involved in the processing of communications facilities, gas pipelines, and other facilities on BLM land. So, there are different processes by different agencies.

I would hope that an online portal could be used not only, again, for submission and receipt, but also for some commonality and streamlining in the review across different agencies. Each agency will have its own needs and challenges, to be sure, but hopefully this would lend itself to greater commonality across all of those.

Mr. STAUBER. And I want you to repeat it for the public. Without this online portal, how is a provider supposed to submit this necessary paperwork? You mentioned some. Repeat those.

Mr. ROMANO. Sure. I have heard tell of U.S. Postal Service, UPS, Fed-Ex, and e-mail, just in inquiring in the last several days with members about different ways they have sent it in.

Mr. STAUBER. And this is a good bill to streamline that.

And we are talking about permitting reform. And this is incredible. I don't think any type of infrastructure investment enjoys such broad, bipartisan support than rural broadband infrastructure. But our permitting system, it is so backwards we can't even make these investments because of the permitting system. And this is directly affecting rural communities like those in northern Minnesota.

One more, Mr. Romano. I agree with you that we need to increase transparency around the permitting process for rural infrastructure investments, and creating a public online portal for Form 299 submissions is one of the easiest, most straightforward things we can do. That said, we know this is just the start of what has to be done. Mr. Romano, does frivolous litigation pose a significant challenge for rural broadband providers to build and invest in rural broadband infrastructure?

Mr. ROMANO. Congressman, I have certainly heard of litigation in other contexts related to placement of facilities or environmental clearances and the like. Our members are small businesses. They can't afford to engage in litigation, and oftentimes they need to get a project done quickly because they are serving their neighbors, their friends, their family. So, they tend not themselves to engage in litigation on this. They look to find ways to make this work and get it through. Improving those processes will be incredibly important for all of these reasons.

Mr. STAUBER. And we hear that, unfortunately every week in this Committee, where litigation halts good projects or delays, and tends to be more expensive because of the delay. We need

permitting reform, and we need reforms to the judicial review process to be part of that, as well.

I thank all of you for your testimony today.

And Mr. Chair, I yield back.

Mr. TIFFANY. The gentleman yields. I now turn to the gentlelady from Oregon for 5 minutes of questioning.

Ms. HOYLE. Thank you, Mr. Chair.

First of all, Mr. Quinn, I want to thank you. I know it is difficult, and it is so meaningful that you are here, you share your experience, and that we never forget what happened.

I was in Germany on 9/11 and had family members that were firefighters on the scene. We didn't know for days whether or not they were alive. I have a cousin who still has lung damage, as he searched for survivors that just weren't there. So, we can't forget. And, again, I am sorry for your loss, and I just want to thank you. This is critical and important.

But that is not what I came to speak about. So, with that, I would like to speak in support of H.R. 6012, the Fire Safe Electrical Corridors Act from my colleague, Representative Carbajal. This is a bipartisan piece of legislation.

As we speak, western Oregon is in the middle of a record heat wave. Today in Eugene, Oregon, it is set to peak at 104 degrees. This is not normal. There is also a red flag warning in place due to increased fire risk throughout the Willamette Valley and central Oregon. I have the fire map that I look at every morning. From the time I looked at it yesterday morning until the afternoon, there were 10-fold more fires that had started. And we haven't even gotten into the lightning season yet.

So, I want to thank the first responders who are out there in this 100-plus-degree heat, working to keep our communities safe. My constituents are very aware of the threat of wildfires, we have our to-go bags ready and packed at all times, and in particular the wildfire risk that power lines can create on Federal lands.

In 2020, during the historic Labor Day fires, we had seven megafires at the same time. The Archie Creek Fire just west of me, caused by power lines, burned over 125,000 acres and devastated communities in my district.

We have learned a lot. Utilities in Oregon have been working hard to fireproof their infrastructure to prevent future disasters, and it is in all of our best interests to reduce the red tape to make it easier for utilities to reduce wildfire risk from power lines. We cannot allow bureaucracy to get in the way of saving lives in our communities, which is why I strongly support this bipartisan bill to allow utilities to remove hazard trees near power lines on Federal lands without going through the timber sale process. This is bipartisan. This is good legislation, and it is a common-sense solution to a serious issue.

I want to thank my colleagues who supported it, Representative Carbajal for bringing it forward, and I urge my colleagues to support the bill. Thank you.

I yield back.

Mr. TIFFANY. Thank you for your questions and comments. And now I recognize Mr. D'Esposito for 5 minutes of questioning.

Mr. D'ESPOSITO. Thank you, Mr. Chairman.

And Mr. Quinn, thank you again for being here today, not only on behalf of your family, but for all the families of the victims of 9/11 and, like I mentioned in my opening remarks, the victims who are still being taken from 9/11.

And I have to say that this questioning, at least for me, it seems sort of ridiculous, because we know the answers to it, and we know how important the 9/11 Museum is to not only New Yorkers, but to Americans and, quite frankly, to people from across the world. But I want to get some of these answers on the record, because I think it is important to our colleagues and those who perhaps have in the past not always been supportive of the efforts that we have had in New York on behalf of the 9/11 Memorial.

So, why do you believe that it is so important that we continue to educate future generations about the attacks on September 11, 2001?

Mr. QUINN. No, I appreciate that, and a great question.

As a military veteran, I actually just spoke to a group of ROTC cadets, and the core of my talking points about military service was based on the first question of where were you on 9/11, and everyone was sheepish. I thought it was just a shy class until a brave cadet raised his hand and said, "Sir, we weren't born yet." And for me, emotionally, as you could probably see, to me it feels like yesterday every day in my life. And I think for many Americans it feels that way. So, to think that it has been 23 years, we sometimes assume that we are still on the forefront of preventing threats in downtown New York, particularly around the World Trade Center and the 9/11 Memorial Museum. But it remains a high value target for many reasons.

And then second of what I just said as far as people tend to forget. And it is not their fault. About 100 million Americans either weren't born or are too young to remember that day. So, to have a museum remember not what happened that day, but how we reacted, the resilience, the unity we had as a country, the reminder, but also have those educational programs that teach the next generation what happened that day and what we need to do to continue to prevent threats and the emotional tie and the resilience we have all experienced on September 12 as Americans.

Mr. D'ESPOSITO. I know that you mentioned that not only do you take regular visits to the museum, but you have brought people from your firm and veterans to the museum. And, obviously, over the years since it has been open, some of the initiatives have changed, some of them have remained the same, some of them have expanded.

If you could, just tell us a little bit about some of the initiatives you think that have gone on at the museum that are so critical, or ones that we know about that are in the planning stages that will obviously be beneficial to this funding in this bill.

Mr. QUINN. Definitely. One of the reasons I mentioned my story is that I came back to New York. I am raising my family in New York City. So, when I take my 3-year-old, my 5-year-old, who is named after his uncle, and my 7-year-old, we go to the Memorial Museum, and visit the pools, and to see their Uncle Jimmy on a consistent basis. So, I see the security, I see the need for the

security in an open plaza. And then, just as we came in here there was security, you need security into the museum.

And then, I can't stress this enough, the importance of the 9/11 Memorial Museum to military veterans. I have seen more veterans cry just showing up there and letting out such emotion for being there, because it was the impetus for service for millions and millions of Americans from all 50 states of America that joined the military and come back, and have that connection to it.

So, whether it is events, educational programs, or just the experience of the museum, you said yourself with the Virgil quote, it is just something that needs to be preserved and protected for the long haul.

Mr. D'ESPOSITO. I was going to ask you what you thought the benefits were to Americans and those that live outside the New York City area. But you have answered the question in totality, and I think it is clear that this memorial, this museum serves as a beacon, and it serves individuals who were not directly affected by 9/11, those who perhaps are being affected by 9/11 now, but I think you just made a great point, men and women who left the safety and security of this beautiful country to fight for something greater, to defend the greatest country on the planet. And they come there and find a place of solace to learn and to remember the history of that day and to make sure that we will absolutely never forget.

And Mr. Quinn, happy anniversary. I hope you get home safe. Please know, for my days in Congress, as long as they will be, and I hope they are long, I will continue to fight for every resource for this museum, and I will make sure that my colleagues and the rest of this country never forget 9/11.

Mr. QUINN. Thank you.

Mr. D'ESPOSITO. Mr. Chairman, I yield back.

Mr. TIFFANY. Thank you, Mr. D'Esposito, for bringing this bill forward to the Subcommittee.

Now, I would like to recognize the gentlelady from, not right? How about if I go into questions, then?

Mr. French, thank you for being back before the Committee here. The GAO, the Government Accountability Office, expressed concern about statutory deadlines not being met. And you share their conclusion that the Forest Service needs to reform its application processing system.

Mr. FRENCH. I do, and we are. We put an interim portal, and we have seen our response times go from meeting that deadline about 55 percent of the time to about 75 percent of the time.

Mr. TIFFANY. How would the legislation before us, and will it, take us from an interim to a more permanent one-stop-shop portal?

Mr. FRENCH. It is very helpful and supportive. We currently have a grant right now where we are working on that system. Having the authority behind it and for us to do this will be very helpful.

Mr. TIFFANY. I think there was some concern expressed in regards to staffing also. With this portal will there be sufficient staffing to be able to expeditiously move these?

Mr. FRENCH. Well, I think there are a couple of things to think about here.

One is whenever you put together IT, you have to maintain it over time. So, we have to have the funding and staffing to make sure that in 5 years we don't have the resources to keep it updated, which is actually a chronic issue with IT systems within the Federal Government. We usually have the money to build it, we don't necessarily always have the resources to continue it.

We have 66,000 special use permits across the agency. This year we have received about 4,400 new applications. We have processed and completed 3,400 of those with a staff of essentially 16 to 100. That is the biggest chronic issue we have, is staffing. The portal helps us by us being able to see in a one-time place where the applications are occurring, and to move capacity to help do that and keep the local units on track for being accountable for those time frames. Otherwise, we can't see it.

Mr. TIFFANY. I don't know if you have studied this, is this an instance where perhaps artificial intelligence might be able to help to be able to process them?

Mr. FRENCH. Yes, we are seeing artificial intelligence help us on many fronts right now, from being able to review comments that come in, looking at common environmental issues, providing information back, environmental compliance, but also looking at where you are seeing surges for applications and helping us think more proactively about how we deploy personnel and resources.

Mr. TIFFANY. Switching to the corridors, the Fire Safe Corridors, a lot of devastating wildfires have been started as a result of these power lines sparking. And why is it important that utility companies have greater flexibility?

And actually, I think you have worked extensively on this issue, haven't you?

Mr. FRENCH. I have.

Mr. TIFFANY. Why is that important that they have greater flexibility?

Mr. FRENCH. We have 18,000 miles of power lines that cross the National Forest System, from large, big power lines to very small power lines that are running through communities. The proper maintenance of those is critical to protect our communities from forest fires, bottom line. Small, rural electric cooperatives are challenged to find the funding to do this sort of maintenance work. And our processes at times take too long in order to keep up with that.

There are four things that I think are critical for managing our power lines right now: funding, the proper staffing, getting things done in a timely manner, and there are growing issues with companies being able to manage the strict liability associated with our permits. They have trouble finding insurance and things like that.

This bill helps on the efficiency side of things. We don't feel it necessary to be required. Trees are considered property of the Federal Government, so we have to value those and sell those under very strict timber sales. For the protection and safety along with power lines, removing that stipulation would be very helpful in terms of efficiency and time to approve these.

Mr. TIFFANY. So, will this combination, of course, we had the Fix our Forests Act that I referenced earlier, and now this Fire Safe Corridors. Will that combination help to be able to alleviate that challenge that is before you?

Mr. FRENCH. Yes, it will.

Mr. TIFFANY. Mr. Caldwell, how is the Park Service going to ensure that private property rights and local decision-making will be protected with the National Historic Park here in Washington, DC?

Mr. CALDWELL. Concerning the Civil War Defenses Park? I think what the Department believes with the proposed bill is that we are preserving those 16 different units, 16 different sites affiliated with the Civil War Defenses on site within three of our units, within one region of the National Park Service. We believe that is certainly sufficient to preserve those sites while respecting private property rights.

Mr. TIFFANY. You expressed a concern, I believe, in your testimony in regards to the stadium in Daytona Beach. Have you communicated them with Mr. Jaworski or anyone that is with the ballpark?

Mr. CALDWELL. First, I think that certainly the Department recognizes the incredible history that Jackie Robinson represents.

It is our belief that we should conduct a special resource study prior to any designation of the stadium. We believe that would allow us to take a look at the resource, take a look at the significance, see if it is feasible for inclusion in the National Park System, or what other arrangements could be arranged in partnership with maybe state and local governments or the private sector.

And most importantly, we feel strongly that a special resource study process gives us an opportunity to have a public input with stakeholders and the local communities as we complete the special resource study and provide Congress our recommendations.

Mr. TIFFANY. Has this been communicated to you, Mr. Jaworski, other than today?

Mr. JAWORSKI. Not at this time, no.

Mr. TIFFANY. OK, so this is the first that you know about this.

Mr. JAWORSKI. Correct.

Mr. CALDWELL. And Mr. Caldwell, will you be providing information to Mr. Jaworski or his cohorts to make sure that they can get to the right people and understand what your concerns are?

Mr. CALDWELL. Yes, we will, sir. Thank you.

Mr. TIFFANY. OK, I am going to close with Mr. Romano.

We have the Federal concerns that are before us. I would like to shift a little bit away from the bills here. Do you also run into some local concerns? In particular, I think about zoning and things like that. What are the principal concerns that you are finding locally or at the state level?

Mr. ROMANO. The first one I will mention, and it is something you brought up in your opening remarks with respect to previously disturbed land, we find repeatedly that the processes of trying to upgrade facilities in previously disturbed earth seem to take longer than one might think at first blush. Especially in our case, for example, we are replacing copper. Our members, the telephone companies way back in the day who started up when that was the unserved issue, they are now trying to replace that, and have replaced it in many cases, with fiber. But it is a bit startling to see how long that process takes to get clearances for historic preservation and environmental review associated with something as seem-

ingly simple as upgrading facilities within an existing right-of-way to move them from copper to fiber, for example. So, that is one thing I think we see at Federal, state, and local levels alike.

The second thing—

Mr. TIFFANY. Can I just follow up on that first one?

Mr. ROMANO. Yes, please.

Mr. TIFFANY. So, you are just saying to basically use a different type of material, but you are going to be in basically the same footprint, and yet you are running into extensive reviews that sometimes happen. Is that accurate?

Mr. ROMANO. That is correct, yes. So, it may be a culvert along a roadway, where we are taking out the fiber or taking out copper and putting fiber and conduit. Yes, sir.

Mr. TIFFANY. OK, thank you.

Mr. ROMANO. A second issue I would mention, again, and just to put another highlight on this, is the staffing question, because that is something we see especially at state and local levels, where there is insufficient staffing in order to process the number of applications they see. So, as a result, even the most efficient system becomes a bit of a bottleneck because there are one, two, or three people in a given office.

I will say this has gotten better since COVID, when it was really probably most problematic, but it continues to be a challenge. And we are particularly concerned about this in the context of there are billions of dollars of Federal funding and state funding flowing right now into broadband deployment, which is fantastic, we are going to hopefully overcome the digital divide, but there remains a concern that will there be the parties to handle this? We hear a lot about the fact that it takes years for deployment. This is often the long pole in the tent.

The last thing I will mention just briefly, and this is a little bit of an aside from state and local, but railroad crossings. Railroad crossings, especially in rural areas, continue to be a rather significant impediment. There are not a lot of ways to get around a railroad track. You have to go far down one way or the other to get around that. And the amount of time, the amount of expense that it takes to get across a railroad crossing, underneath a railroad crossing is surprisingly large, given the several hours of work and having a few people out there to flag. You want to be concerned about safety.

But at times it appears to be, again, another long pole in the tent, and a very expensive one when it comes to placement of facilities in rural areas.

Mr. TIFFANY. Where does that problem lie?

Mr. ROMANO. In terms of jurisdictionally, who has jurisdiction over that? That is a great question, Mr. Chairman. States have passed laws with respect to this to try to deal with this. There is some thought that maybe the FCC has some authority, pursuant to its ability to pre-empt state laws and local laws that might create barriers in terms of the amount of hoops that one has to jump through to get through railroad crossings. It is certainly something we would encourage Congress to take a look at, and other stakeholders have joined us in the communications industry to—

Mr. TIFFANY. Do you think it is a Federal problem?

Mr. ROMANO. It is a nationwide problem, for sure. Right now, though, a lot of railroad crossings are governed by state laws. The question is, I think at least the very least, we would encourage Congress to take a look at it to see whether the state laws are working, whether there is a place for a Federal regime that might be more streamlined. And in particular, whether certain communities have become harder to reach as a result of some of these issues.

So, I would say that it is probably a Federal-State partnership, but I do think there is a role for Congress to play and potentially agencies to play in at least looking at the problem and scoping and sizing it to determine where the solution may lie best.

Mr. TIFFANY. Thank you.

Finally, Mr. Jaworski, this is an active ballpark that we are talking about here. This is just not a museum set piece or anything like this, and you anticipate that this will continue to be an active site here as we go forward. Is that accurate?

Mr. JAWORSKI. Yes, that is correct.

Mr. TIFFANY. Is there anything that you were not able to cover in your testimony that you would like to share with the Committee?

Mr. JAWORSKI. I think I covered just about most of it. I mean, to your point about being an active site, we are currently affiliates of the Cincinnati Reds. As I mentioned briefly, we are working on \$30 million of renovations to the ballpark.

Briefly, back in 2019, when Major League Baseball was going through their restructure, we were at risk of losing the affiliation, and losing our Major League Baseball partnership. And that is when a lot of the renovations and the construction that is ongoing is going to take place to allow us to be able to continue to play baseball at Jackie Robinson Ballpark, and that is something that, obviously, we are extremely proud of to carry on, and continue that message, to continue to share that story for generations to come. And to say that it is pretty special is definitely an understatement, for sure.

Thank you for your time here today.

Mr. TIFFANY. Yes, I appreciate your testimony.

Members, if you have another question, I will allow it. And Ms. Hoyle, if you have anything that you wanted to follow up on, you are welcome to.

If not, Mr. D'Esposito?

Mr. D'ESPOSITO. I am good, Mr. Chairman, thank you.

Mr. TIFFANY. Well, I would like to thank all the witnesses for their testimony and Members for your questions.

The members of the Subcommittee may have some additional questions for our witnesses today, and we will ask that they respond to those in writing. Under Committee Rule 3, members of the Subcommittee must submit questions to the Subcommittee Clerk by 5 p.m. on Friday, July 12, 2024. The hearing record will be held open for 10 business days for those responses.

If there is no further business, without objection, the Subcommittee on Federal Lands stands adjourned.

[Whereupon, at 11:32 a.m., the Subcommittee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

Statement for the Record
Bureau of Land Management
U.S. Department of the Interior
H.R. 3299, DIGITAL Applications Act
H.R. 3283, Facilitating DIGITAL Applications Act

Thank you for the opportunity to provide this Statement for the Record on H.R. 3299, the Deploying Infrastructure with Greater Internet Transactions And Legacy Applications Act (“DIGITAL Applications Act”) and H.R. 3283, the Facilitating the Deployment of Infrastructure with Greater Internet Transactions and Legacy Applications Act (“Facilitating DIGITAL Applications Act”). H.R. 3299 requires the establishment of online portals for applications for rights-of-way for communications use, and H.R. 3283 contains reporting requirements for the Department of Commerce regarding the establishment of such portals. The BLM supports the goals of H.R. 3299. However, we believe that the timeframe specified for establishment of the required online portals is not achievable given current resources.

The BLM defers to the Department of Commerce regarding potential impacts associated with H.R. 3283.

Background

The BLM manages approximately 245 million surface acres, located primarily in 12 western states, and approximately 700 million acres of subsurface mineral estate. The Federal Land Policy and Management Act (FLPMA) sets forth the BLM’s multiple-use mission, directing that public lands generally be managed for a broad range of uses, such as renewable and conventional energy development, livestock grazing, timber production, hunting and fishing, recreation, wilderness, and conservation—including protecting cultural and historic resources. FLPMA also requires the BLM to manage public land resources on a sustained-yield basis for the benefit of current and future generations.

Under Title V of FLPMA, the BLM is authorized to grant, issue, or renew rights-of-way (ROW) over, upon, under, or through public lands for specific projects, such as roads, pipelines, transmission lines, and communication sites. A ROW grant authorizes rights and privileges for a specific use of the land for a specific period of time. Generally, a BLM ROW is granted for a term appropriate for the life of the project.

The BLM currently administers more than 1,500 communications sites on public lands in the 11 Western states and Alaska. Most communications sites on BLM-managed public lands are located at geographic elevations and consist of one or more facilities (such as towers, antennas, or other buildings) owned by private or governmental entities. Activities at each site are managed by a local BLM field office under a resource management plan and a site-specific management plan. To date, the BLM has authorized the construction and operation of more than 4,000 facilities—ranging from radio and television transmitters to cellular and wireless broadband towers—using ROW grants.

H.R. 3299 & H.R. 3283

H.R. 3299 requires the Department of the Interior (Department) and U.S. Department of Agriculture (USDA) to establish online portals to accept, process, and dispose of Standard Form 299 (SF-299) applications for communications use within one year of enactment. The bill further requires the Department of Commerce to publish links to these portals on the website of the National Telecommunications and Information Administration (NTIA). H.R. 3283 requires the Department of Commerce to provide a report to Congress within 90 days of enactment and every 60 days thereafter until such online portals are established. The bill requires the reports to describe any barriers to the establishment of the online portals. In addition, H.R. 3283 would require the Department and USDA to provide notice to NTIA within three days of establishing their respective portals.

The BLM places a high priority on working with applicants on their proposed ROW to process the application expeditiously while ensuring the protection of resource values. The BLM strives to provide ROW applicants a decision within 60 days from the receipt of a completed application. The BLM also notifies applicants after 30 days if the application processing will take longer and provides a date when a decision on the application can be reasonably expected.

The BLM notes that it has already established an online portal for the submission of SF-299 applications for communications use. The BLM's Mineral and Land Records System (MLRS) is an online platform for delivering and reporting mineral and land records transactions, tracking, and mapping. In June 2023, the BLM added the ability to submit SF-299 applications for communications use electronically via MLRS. The BLM does not currently have an online portal dedicated to the processing or approval/rejection of these applications; these tasks are handled by staff at the applicable BLM office, who work with applicants directly.

While the BLM supports the goals of H.R. 3299 to establish an online portal to process and dispose of SF-299 applications for communications use, the agency would be unable to do so within the one-year timeframe specified in the bill given current resources. The BLM notes that the development and refinement of MLRS, which includes the modernization of a number of legacy systems, has been a resource-intensive, multi-year effort. As such, we would like to work with the Sponsor and the Subcommittee on a more reasonable timeframe to develop, or incorporate into existing platforms, a fully functioning platform that can authenticate and process SF-299 applications for communications use. We would also like to work with the Sponsor to clarify their intent with respect to the terms "acceptance" and "disposal" in the bill.

The BLM defers to the USDA regarding any impacts associated with H.R. 3299 on the USDA Forest Service. Regarding H.R. 3283, we defer to the Department of Commerce on the provisions affecting their interests.

Conclusion

Thank you again for the opportunity to provide this Statement for the Record.

Submissions for the Record by Rep. Neguse

PREPARED STATEMENT OF THE HON. JOE NEGUSE, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF COLORADO

Thank you, Chairman Tiffany.

Good morning, everyone. It's good to be back after the July 4th holiday last week.

The bills on today's agenda once again serve as a reminder of the wide range of benefits and uses associated with our parks and public lands—and the work that we can get done under this subcommittee.

It is imperative that we continue to identify new places worthy of recognition, while bolstering our protection of those that have already been identified.

As members of the Federal Lands Subcommittee, we collectively have the opportunity to champion new conservation opportunities—something I was proud to lead when I served as Chair of this Subcommittee, and continue to advocate for today.

Some of the bills on our agenda today serve as a way for us to recognize the historical and diverse stories across our nation, and I'm looking forward to hearing more about these bills.

This hearing continues a promising trend of considering more conservation and commemorative bills. As we have heard in our last two subcommittee hearings, there are still plenty of places throughout the country that deserve increased protection and conservation.

But I would also like to remind my friends across the aisle that there is a long running list of additional bills-sponsored by members of both parties—to create new national parks, designate new wilderness and withdrawals, and protect some of the most special places across our great nation.

This includes my CORE Act, which I've talked about many times in this Subcommittee, and so many more.

Our constituents support real conservation, enhanced recreational opportunities, and even ways to accelerate tribal co-stewardship and enhance protections for sacred sites.

Two of the bills that we are considering today have already received legislative hearings, been marked up, and advanced unanimously through the Energy and Commerce Committee.

H.R. 3283 and H.R. 3299 both seek to promote accessibility and transparency in the permitting process for locating or modifying various types of communications or broadband equipment and infrastructure on public lands.

There is significant support from both sides of the aisle for these bills and increasing the deployment of broadband across public lands.

There are many other pieces of legislation that are still waiting for a hearing and consideration by our Subcommittee.

For example, one of the bills we are considering today is the Jackie Robinson Commemorative Site Act.

I know the Park Service has expressed concerns with commemorative site designations because they do not include any direct federal management or other nexus, and while this bill only scratches the surface of the long list of bills we need to consider by the end of the year, I still think it represents a good start.

This bill would continue to bolster the Robinson legacy in the world of professional baseball and beyond, and I appreciate the entirety of the Florida delegation for bringing the history of the stadium in Daytona to the Federal Lands Subcommittee so we can learn more about the best way to achieve this goal.

Also on the agenda is H.R. 5401 to authorize a one-time grant from the Department of Homeland Security to the 9/11 Memorial and Museum in New York City to assist with operations, security, and maintenance of the facilities.

The 9/11 Memorial and Museum is the principal tribute of remembrance and honor of the nearly 3,000 people killed in the terror attacks at the World Trade Center in 2001 and the six killed in the World Trade Center bombing in February of 1993.

I look forward to hearing more about this initiative and would like to encourage cooperation among all interested parties in the continued operation of the 9/11 Memorial and Museum. To that end, I ask unanimous consent to enter into the record a letter from a coalition of interfaith organizations with constructive recommendations for this bill moving forward.

Next, we have Representative Carbajal's Fire Safe Electric Corridors Act, which would allow for the removal of hazardous trees near power lines without requiring a timber sale.

As Co-Chair of the Wildfire Caucus, I am pleased to see this bill on our agenda as there is much to be done to improve our wildfire preparedness and mitigation, and I am excited to work with Representative Carbajal on this initiative.

And last, but certainly not least, H.R. 7976 from my colleague and friend Representative Holmes Norton would designate the Civil War Defenses of Washington National Historical Park.

Washington, DC. served as the Union's capital during the American Civil War and dozens of sites in the area are currently managed by the National Park Service—but not given the full recognition that a unified National Historical Park would bring.

I look forward to hearing from the Congresswoman about the history and significance of these sites.

I'd like to close by repeating my message from earlier in my opening statement. We need to be listening to our constituents and hearing bills that are important to them, and I hope the Chairman will work with me to ensure we are also taking up bills to protect and conserve our nation's public lands.

We still have a lot of work to do, and only six months left to do it—but I look forward to working to get this done.

With that Mr. Chairman, I yield back.

Statement for the Record
9/11 Advocacy Coalition
H.R. 5401, 9/11 Memorial & Museum Act

Chairman Tiffany, Ranking Member Neguse, and Members of the Committee, We, a broad coalition of faith and secular leaders, advocates, historians, educators, and directly impacted 9/11 family members, write to express our concerns regarding H.R. 5401, which proposes increased funding for the National 9/11 Museum. While the Museum operates as a non-profit, it continues to disregard public input and fuels anti-Islamic rhetoric. There are significant opportunities for improvement in its governance, transparency, and inclusivity.

The Museum has faced challenges in managing funds and has taken public funds while operating in a manner that does not always align with the guidelines of public institutions and the norm of transparency. The Board has resisted incorporating the powerful legacy of inter-religious response, recovery efforts, and reconciliation work. Additionally, the Museum has maintained certain exhibits, such as the 20+ year old video “The Rise of Al Qaeda,” which could benefit from updates to reflect a more balanced perspective. Furthermore, the Museum’s leadership has continued to support Board member Debra Burlingame, despite her history of controversial statements, including publicly sharing anti-Muslim sentiments by calling Muslims “weird animals” and connecting the practice of Islam to extremism and violence.

Our coalition is committed to working collaboratively to ensure that the Museum can fulfill its mission in a way that is inclusive and respectful of all communities. To this end, we propose the following recommendations for the Subcommittee’s consideration:

1. **Reinstate a Multifaith Advisory Committee:** The Museum should reinstate a multifaith advisory committee to review exhibit content and meet with the board and leadership quarterly.
2. **Ensure Transparent Governance:** The Museum should commit to transparent governance, adhering to budget targets and development strategies aligned with philanthropic standards.
3. **Implement an Academic Review Process:** The Museum should create an academic advisory council to ensure scholarly rigor and prevent the conflation of Islam with Al-Qaeda in its exhibits.
4. **Highlight Diverse Contributions:** The Museum should explicitly address the diverse contributions of Americans of all faiths and backgrounds in the aftermath of September 11, 2001.
5. **Enhance Public Engagement:** The Museum should institutionalize public-facing processes and community engagement, creating multiple platforms for community participation, including directly impacted families.

In addition, we suggest considering the Memorial’s operation under the National Park Service, with the museum and its archive managed by the Smithsonian.

We strongly oppose Congress passing H.R. 5401 to provide more funding for the Museum due to its refusal to engage in constructive dialog with groups such as this diverse coalition that includes those who lost loved ones during 9/11, historians, clergy, and civil society leaders. Addressing the public’s concerns regarding the content shared with the thousands of visitors each day is crucial.

We believe these steps will help the Museum operate in a manner that is inclusive, transparent, and reflective of the diverse fabric of our nation. We urge the Subcommittee to withhold additional funding until these recommendations are addressed.

Thank you for your attention to this important matter. We look forward to working together to support the Museum in becoming a beacon of inclusivity and understanding.

Sincerely,

Husein Yatabarry
Executive Director
Muslim Community Network

Heba Khalil
Executive Director
Emgage NY

Rev. Dr. Chloe Breyer
Executive Director
Interfaith Center of New York

Peter B Gudaitis
Executive Director and CEO
New York Disaster Interfaith
Services

Todd Fine
President
Washington Street Advocacy Group

Talib Abdullah
Executive Director
ACCESS of WNY

Marwa Janini
Executive Director
Arab American Assoc. of New York

Afaf Nasher
Executive Director
Council on American Islamic
Relations (CAIR-NY)

Statement for the Record

**Husein Yatabarry
Muslim Community Network**

H.R. 5401, 9/11 Memorial & Museum Act

Chairman Tiffany, Ranking Member Neguse, and Members of the Committee,

Thank you for allowing me to submit written testimony regarding H.R. 5401, the 9/11 Memorial & Museum Act. My name is Husein Yatabarry, and I am the Executive Director of the Muslim Community Network.

As a Black Muslim of West African descent, my roots in New York run deep. My father immigrated to the US in 1987 and my mother followed in 1991. On September 11, 2001, I was just 9 years old. That day remains vividly etched in my memory. I was in my 4th grade classroom at PS53 in The Bronx, confused as teachers urgently gathered in the hallway. My mother's sudden appearance, her face lined with worry, only added to my confusion. "The twin towers have been struck by planes," she told me. Those towers held a personal connection for us; we had photos from family visits, and my father had worked at a restaurant there in the late 90s. As we watched the tragedy unfold on television, the gravity of the situation and the identities of the perpetrators became starkly clear.

In the immediate aftermath, the nation's focus was not on understanding the intricate dynamics of global politics and the rise of extremist groups. Instead, a wave of fear and suspicion engulfed communities, particularly targeting Muslims and Islam. The Muslim community in the US faced swift and severe backlash, marked by public hostility and undue scrutiny from government entities. My world, once familiar and secure, was suddenly filled with anxiety and uncertainty about our place in this country. The US, my birthplace and home, felt increasingly alien and hostile. The media and institutions often silenced our diverse perspectives, favoring oversimplified narratives of "us versus them." This oversimplification denied the American public the opportunity to engage with and understand the rich, complex narratives of Muslims and Islam.

While I understand the noble intent behind H.R. 5401, which seeks to ensure federal support for the 9/11 Memorial and Museum, I must express deep concerns that need to be addressed before additional funding is granted.

The 9/11 Memorial and Museum, despite its status as a non-profit institution, has repeatedly ignored public input and allowed anti-Muslim rhetoric to persist within its exhibits. This is deeply troubling and must be rectified. There have been significant issues with the Museum's financial transparency and adherence to the high standards expected of public institutions.

For years, the Board has resisted incorporating the rich and powerful legacy of inter-religious solidarity, recovery efforts, and reconciliation work that followed the 9/11 attacks. To address these serious concerns, I propose the following actions:

First, the Museum must reinstate a multifaith advisory committee. This committee should review exhibit content to ensure that diverse perspectives are represented and meet with the board and leadership quarterly to provide ongoing input and guidance.

Second, the Museum must commit to transparent governance. This means adhering to budget targets and aligning development strategies with philanthropic standards. Transparent governance is critical to building trust and ensuring responsible management of public funds.

Third, an academic review process must be implemented. Forming an academic advisory council will ensure scholarly rigor and prevent the conflation of Islam with Al-Qaeda in exhibits. This council can offer expert oversight to ensure that content is accurate and balanced.

Fourth, the Museum should explicitly recognize the diverse contributions of Americans of all faiths and backgrounds in the aftermath of September 11, 2001. Highlighting these contributions will foster a more inclusive narrative that reflects the unity and resilience that emerged in the wake of the attacks.

Fifth, enhancing public engagement is essential. The Museum should create multiple platforms for community participation, including directly impacted families. Institutionalizing public-facing processes and community engagement will ensure that the voices of all stakeholders are heard and valued.

Additionally, we recommend that the operation of the Memorial be considered for transfer to the National Park Service, with the museum and its archive managed by the Smithsonian Institution. This would leverage the expertise and resources of these respected organizations to benefit the Memorial and Museum.

I strongly oppose the passage of H.R. 5401 to provide more funding for the Museum until these critical recommendations are implemented. The Museum must engage in constructive dialog with a diverse range of groups, including those who lost loved ones during 9/11, historians, clergy, and civil society leaders. Addressing public concerns regarding the content shared with visitors daily is vital.

Implementing these steps will help the Museum operate inclusively, transparently, and reflect the diverse fabric of our nation. I urge the Subcommittee to withhold additional funding until these necessary changes are made.

Submissions for the Record by Rep. Norton

Statement for the Record

Congresswoman Eleanor Holmes Norton

H.R. 7976, Civil War Defenses of Washington National Historical Park Act

I thank Chairman Tiffany and Ranking Member Neguse for holding this hearing and allowing me to testify on H.R. 7976, the Civil War Defenses of Washington National Historical Park Act.

The Civil War Defenses of Washington, including forts, unarmed batteries and rifle trenches, created a ring of protection for the nation's capital during the Civil War. This bill would recognize and preserve the Defenses of Washington located in the District of Columbia, Virginia and Maryland by redesignating the 22 Defenses of Washington currently under National Park Service jurisdiction as a national historical park, and allowing other sites associated with the Defenses of Washington that are owned by D.C. or a unit of state governments to be affiliated with the national historical park through cooperative agreements. This bill would also require the Secretary of the Interior to facilitate the history of the Civil War, including the history of the Defenses of Washington and the Shenandoah Valley Campaign of 1864, being assembled, arrayed and conveyed for the benefit of the public.

The Defenses of Washington were constructed at the beginning of the war, in 1861, as a ring of protection for the nation's capital and for President Abraham Lincoln. By the end of the war, these defenses included 68 forts, 93 unarmed batteries, 807 mounted cannons, 13 miles of rifle trenches and 32 miles of military roads. The major test of the Defenses of Washington came with the Shenandoah Valley Campaign of 1864, when Confederate Lieutenant General Jubal Early, directed by General Robert E. Lee, sought to attack the nation's capital from the north, causing Union forces threatening to attack Richmond, the capital of the Confederacy, to be withdrawn. General Early was delayed by Union Major General Lew Wallace at the Battle of Monocacy on July 9, 1864, and was stopped at the northern edge of Washington at the Battle of Fort Stevens on July 11–12, 1864. The Shenandoah Valley Campaign ended when Union Lieutenant General Philip Sheridan defeated General Early at the Battle of Cedar Creek, Virginia on October 19, 1864.

Nearly all the individual forts in the Defenses of Washington—on both sides of the Potomac and Anacostia rivers—were involved in stopping General Early's attack, and the Battle of Fort Stevens was the second and last attempt by the Confederate Army to attack Washington.

Taken together, these battles were pivotal to the outcome of the war and the freedom and democracy that the war represented for this country. It is therefore fitting that we recognize the Defenses of Washington by redesignating them as a national historical park.

Again, thank you for holding this hearing and allowing me to testify. I look forward to working with you to pass this bill.

Submissions for the Record by Rep. Carbajal

Statement for the Record

Steve Powell
President and Chief Executive Officer
Southern California Edison

Chair Tiffany, Ranking Member Neguse, and members of the Subcommittee, my name is Steve Powell, the President, and CEO of Southern California Edison, and I am here today to express support for H.R. 6012, the Fire Safe Electrical Corridors Act, legislation sponsored by Representatives Salud Carbajal and Lori Chavez-DeRemer.

I want to first share my appreciation to this Committee for its strong commitment to addressing the threat of catastrophic wildfires facing the West and, increasingly, throughout other parts of the United States. As we have all seen, wildfires are growing in frequency and burning with greater intensity.

Furthermore, I appreciate the opportunity to discuss the importance of the Fire Safe Electrical Corridors Act, and the role this legislation will play in reducing wildfire threat in our National Forests. Passage of this Bill will encourage preservation of forest lands and enhance wildfire protection. Currently, vegetation mitigation practices on Forest lands do not provide flexibility to remove felled timber and vegetation debris. This is a deficiency that would be addressed by H.R. 6012.

Southern California Edison is an electric utility that delivers power to 15 million people across Southern, Central and Coastal California. SCE has facilities within eight National Forests, seven of which are managed by the Pacific Southwest Region (Region 5) of the U.S. Forest Service. They include Angeles, Cleveland, Inyo, Los Padres, San Bernardino, Sequoia, and Sierra National Forests. This legislation would also have an impact on SCE's work in Humboldt-Toiyabe, which is located in Region 6.

Wildfire mitigation has been an integral part of SCE's operational practices for many years, and we are continuing to strengthen our programs to manage and reduce the risk we face. We have stepped up our comprehensive mitigation efforts and have made substantial progress through our Wildfire Mitigation Plans. Our efforts include hardening the grid, increasing our situational awareness, and improving our operational practices, including vegetation management.

On an annual basis, SCE's vegetation management program inspects roughly 1.6 million trees in our service area, including 745,000 trees located in High Fire Risk Areas. Roughly half of these trees require pruning. In addition, in High Fire Risk Areas, we inspect trees that could pose a hazard by falling or blowing into our electrical assets. Since 2018, our certified arborists have assessed over 400,000 unique trees that potentially pose a hazard, with roughly 5% requiring removal as the form of mitigation. In 2024, we plan to assess approximately 240,000 potentially hazardous trees and mitigate about 7,500 of them.

For Forest Service lands in particular, SCE has historically mitigated approximately 19,000 trees annually. Going forward, SCE anticipates mitigating approximately 10,000–15,000 trees annually. However, mitigation volumes may increase, especially following natural disasters such as wildfires, windstorms, or beetle infestations.

For the past several years, the electric utility industry has been working with the federal land management agencies, principally the Forest Service and BLM, to address wildfire risk on federal lands. In 2022, Forest Service Chief Randy Moore formed a government-industry working group to address issues like streamlining the permitting process to allow utilities to perform wildfire mitigation activities more quickly and efficiently. Despite much progress, the working group continues to face regulatory challenges which limit the effectiveness of utility wildfire mitigation efforts on federal lands. One of these challenges is how timber felled through wildfire mitigation activities can be efficiently removed from the National Forests.

Electric utilities currently receive special use permits, which provide authorization from the Forest Service to fell dead, diseased, dying, and green hazard trees located in their respective service territory through permitted vegetation management operations. In order to remove the felled trees, current regulations require utilities to purchase the felled trees from the Forest Service through a timber sale contract or give the trees away to certain designated entities through a time consuming and inefficient process. 36 CFR 223—the Sale and Disposal of National Forest System Timber—proscribes specific authorities by which the Forest Service

can allow an entity to remove felled trees including: a timber sale; giving them to a Native American tribe; or reducing them to firewood at a campsite.

Utilities have suggested other options including the use of categorical exclusions or stewardship agreements, but the Forest Service has indicated that these options do not give them the legal authority needed to allow timber to be removed by utilities. They are effectively restricted by regulations based on current law.

The options provided under current law are not always practical or efficient for utilities. The result, in many cases, is that the utilities are forced to leave the felled trees onsite in the National Forests. This worsens an already vulnerable situation from a wildfire perspective, as debris and felled timber from previous years' vegetation mitigation operations remain in the forest landscape. In essence, the accumulation of this debris increases the intensity of wildfires. Removal of this fuel benefits the forest by helping to create fuel breaks and reduce wildfire intensity should a wildfire occur.

Representatives Carbajal and Chavez-DeRemer have recognized the problems with existing law and are working to provide a solution. The legislation we are discussing today, the Fire Safe Electrical Corridors Act, would grant the USDA the authority to allow electric utilities with proper permits to remove timber that is felled within the vicinity of its power lines. This commonsense, bipartisan, legislation will reduce the amount of fuel in our National Forests and help us manage the wildfire risk on federal lands.

Thank you for the opportunity to share Southern California Edison's support of H.R. 6012, the Fire Safe Electrical Corridors Act.

