



THE UNITED STATES
CONFERENCE OF MAYORS



September 28, 2023

Speaker Kevin McCarthy
United States House of
Representatives
Washington, D.C. 20515

Democratic Leader Hakeem Jeffries
United States House of
Representatives
Washington, D.C. 20515

Majority Leader Steve Scalise
United States House of
Representatives
Washington, D.C. 20515

Chairman Sam Graves
House Committee on Transportation
and Infrastructure
2165 Rayburn House Office Building
Washington, DC 20515

Ranking Member Rick Larsen
House Committee on Transportation
and Infrastructure
2164 Rayburn House Office Building
Washington, DC 20515

Chairman Bruce Westerman
House Committee on Natural
Resources
1324 Longworth House Office
Building
Washington, D.C. 20515

Ranking Member Raul M. Grijalva
House Committee on Natural
Resources
1332 Longworth House Office
Building
Washington, D.C. 20515

Dear House Leaders:

On behalf of the nation’s counties, cities, towns, villages, and their respective national associations – the National League of Cities, United States Conference of Mayors, National Association of Counties, and the National Association of Telecommunications Officers and Advisors – we write to express our deep concerns and strong opposition to H.R. 3557, the American Broadband Deployment Act of 2023. H.R. 3557 deprives citizens and their local governments of the ability to preserve property rights and maintain public safety. Even more so, the proposals included in the legislation have been adopted by a number of states, which were recently identified in the Federal Communications Commission’s Broadband Maps as having the most unserved households in America, thus failing to deliver the benefits proponents of H.R. 3557 claim the legislation would provide.

That such flawed legislation has moved as far as it has may be attributed to the fact the American Broadband Deployment Act of 2023 was hurried through committee without the benefit of local government testimony nor insights and consequences of the proposed fundamental changes to our nation’s telecommunications policy and rights-of-way authorities. H.R. 3557, unlike many other broadband legislative priorities and investments passed by Congress during the last several years, was voted out of committee on partisan lines. Local governments are always troubled when any legislation is moved on party lines as local governments are bi-partisan in nature.

The proponents of this legislation have suggested that local governments are an impediment to successful broadband deployment, especially with the unprecedented levels of federal investment that are being made right now. This simply isn't true. Local governments are partners with the telecommunications industry, working together to safely, securely, and successfully deploy telecommunications infrastructure in our cities and counties in a timely and efficient manner. We not only partner with our rights-of-way to ensure that disruptions to infrastructure such as roads are minimized, but we are working collaboratively to ensure that together, we deliver on the promise of internet for all Americans as we work with our State Broadband Offices on each of our broadband plans. In fact, the National Telecommunications and Information Administration has made local coordination a significant component of the Broadband, Equity, Access, and Deployment (BEAD) Program because of this very essential relationship between local governments and internet service providers.

Perhaps most alarming about H.R. 3557 is the promotion of the myth that making these proposed changes to our rights-of-way authority will unlock lower prices and improve the quality of broadband offerings available in the United States. There's no proof that any of these conditions happened in states where local governments were pre-empted. States such as Texas have not demonstrated any benefits from a statewide law compared to other states and there is no evidence that a national pre-emption of local authority would have a positive effect, either.

As the level of government closest to the people, we oppose heavy-handed federal overreach into local land use, permitting, and franchise negotiation decisions. Congress has historically recognized these rights in Sections 224, 253, and 332 of the Telecommunications Act. These authorities are critical to conduct responsible stewardship of public property, protect public safety, and preserve the rights of residents as consumers of broadband services and neighbors to the infrastructure that makes connectivity possible.

We welcome the opportunity to discuss and work collaboratively with Congress and our telecommunications partners to find successful solutions to improve broadband deployment in our country. We thank you for considering our viewpoints and look forward to continuing our work together on this important issue of ensuring quality and affordable internet access for all Americans.

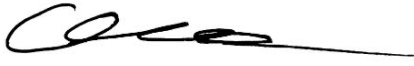
Sincerely,



Matthew D. Chase
CEO/Executive Director
The National Association of Counties



Tonya Rideout
Executive Director
The National Association of Telecommunications Officers and Advisors



Clarence Anthony
CEO and Executive Director
National League of Cities



Tom Cochran
CEO and Executive Director
The United States Conference of Mayors

[CC: Members of the U.S. House of Representatives](#)

If you have any questions, please contact:

The **National Association of Counties (NACo)** provides essential services to the nation's 3,069 counties, serving nearly 40,000 county elected officials and 3.6 million county employees. Since 1935, NACo unites county officials to advocate county priorities in federal policymaking and optimize county and taxpayer resources and cost savings while promoting exemplary county policies and practices. Contact: Seamus Dowdall, Assoc. Legislative Director, Telecommunications & Technology at 202-942-4212 or sdowdall@naco.org.

The **National Association of Telecommunications Officers and Advisors' (NATOA)** 400 members are local government staff and their advisors offering a wealth of experience and expertise on public rights-of-way management telecom work and communications issues on behalf of local government related to broadband, wireless, cable television, public, educational, and government (PEG) access, public safety communications, consumer protection and PROW management. Contact: Mike Lynch, Legislative Affairs Director, 703-519-8035, x202 or MLynch@NATOA.org.

The **National League of Cities (NLC)** is the voice of America's cities, towns and villages, representing more than 200 million people. NLC works to strengthen local leadership, influence federal policy and drive innovative solutions. Contact: Angelina Panettieri, Legislative Director for Information Technology and Communications, at 202-626-3196 or panettieri@nlc.org.

The **United States Conference of Mayors (USCM)** is the official nonpartisan organization of cities with populations of 30,000 or more. There are 1,400 such cities in the country today. Each city is represented in the Conference by its chief elected official, the mayor. Contact: David W. Burns, Assistant Executive Director, at 202-861-6765 or dburns@usmayors.org.