



# Bipartisan Broadband Bills Approved by Subcommittee on Capitol Hill; Re-Appointment of FCC Commissioner Rosenworcel Approved

December 9, 2015

At a bipartisan markup, the U.S. House Energy & Commerce Committee's Subcommittee on Communications and Technology voted unanimously to refer two bills to the full committee for consideration: [H.R. 1641, the Federal Spectrum Incentive Act](#), and a [bill draft](#) that includes provisions for a federal inventory of vertical assets (which can be used as wireless broadband platforms), streamlined federal approval of wireless tower siting, pole attachment language, and a federal "dig once" policy. A previous Connected Nation Policy Brief discussed these topics and is available [here](#).

## [The Federal Spectrum Incentive Act](#)

The Federal Spectrum Incentive Act (H.R. 1641) is a bipartisan bill introduced by Rep. Brett Guthrie (R-KY), Rep. Doris Matsui (D-CA), Communications and Technology Subcommittee Chairman Greg Walden (R-OR), and Communications and Technology Subcommittee Ranking Member Anna Eshoo (D-CA). The bill would encourage and allow federal agencies to voluntarily relinquish control of available spectrum, which would then be auctioned to the commercial sector. Agencies willing and able to part with spectrum would, under the bill, be able to receive funds generated from said auctions, which is currently prohibited by law.

H.R. 1641 is moving forward in the House at the same time that the Senate Commerce Committee is also considering similar spectrum-related legislation. These parallel movements indicate that there may be a growing bipartisan understanding and consensus that more spectrum will need to be allocated to support the explosive growth in mobile broadband access.

## [Comprehensive Broadband Expansion Bill](#)

The subcommittee also marked up a draft bill that included 10 separate broadband-related measures. These measures include many items that were informed by the Administration's Broadband Opportunity Council [Report](#) from earlier this year. These measures include:

- A requirement that the National Telecommunications and Information Administration (NTIA) create and manage a vertical asset inventory of federal property that could be used for wireless broadband communications;
- Language to improve the ability of applicants seeking to build broadband infrastructure on federal rights-of-way to determine the status of their applications;
- A provision to ensure that utility poles owned by the federal government fall under the Federal Communications Commission's pole rate structure;
- A provision to streamline and normalize the "forms, fees, and master contracts" for wireless facility development on federal property;
- Provisions to streamline the process for communications facility location applications at the U.S. Forest Service, U.S. Department of the Interior, and the U.S. Department of Defense; and



- Provisions to streamline and accelerate historic preservation reviews and Environmental Impact Statements (EIS) relating to communications facilities.

The draft bill also includes a “dig once” provision for federal-funded highway construction projects. These “dig once” policies had previously been proposed by Subcommittee Chairman Walden and Ranking Member Eshoo in a free-standing bill earlier this session.

The Committee’s markup memo on these bills can be found [here](#).

### Re-Appointment of FCC Commissioner Rosenworcel Approved

Also, on December 9, 2015, the U.S. Senate Commerce Committee gave its unanimous approval of President Obama’s nomination of Federal Communications Commission (FCC) Commissioner Jessica Rosenworcel to a second term on the Commission. Commissioner Rosenworcel’s re-appointment now awaits confirmation by the full membership of the U.S. Senate.

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For more information about these topics, as well as other broadband policy issues, please contact Connected Nation at [policy@connectednation.org](mailto:policy@connectednation.org).

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