Wireless Infrastructure Association

Testimony of
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"Examining Solutions to Expedite Broadband Permitting"

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Chairman Hudson, Ranking Member Matsui, Chairman Guthrie, Ranking Member Pallone, and members of the Subcommittee, thank you for holding this timely hearing highlighting the importance of efficient and streamlined infrastructure permitting processes. I am Patrick Halley, President and CEO of the Wireless Infrastructure Association (WIA)—the principal association representing the companies that design, build, own, and operate the infrastructure that powers America's mobile and fixed wireless networks. WIA members' efforts to deploy and upgrade wireless infrastructure are directly affected by permitting decisions daily, and we welcome the opportunity to share our perspective.

Whether it is from the front seat of a car (your own or an autonomous taxi), inside stadiums, on manufacturing floors, streaming a movie from the comfort of a couch, or while responding to an emergency, access to wireless communications is essential. Wireless connectivity is at the core of every sector of our technology-driven economy. That is why it is so important that the United States is, and that we remain, the global leader in wireless.

I am here today first to share the good news of the American wireless success story. Where we are getting our spectrum and infrastructure policies right, it is working. Wireless carriers and their infrastructure partners are investing billions annually to close coverage gaps and increase capacity. Mobile broadband speeds are up, prices are down, enterprises are increasingly turning to advanced private wireless connectivity, and it is fixed wireless broadband service that is leading the charge to close the digital divide in rural communities. These networks will also serve as the foundation for the next technology revolution. Powerful advancements will be driven by artificial intelligence (AI), technology that will be integral to the operation of wireless networks, and new applications and services made possible by those networks.

I am also here with a cautionary message—our future success is not guaranteed. It depends on recognizing that wireless infrastructure is AI infrastructure and the adoption of smart infrastructure policies that unleash the full power of commercial spectrum. In the months and years ahead, we will collectively focus on the importance of winning the global AI race. And we will concentrate our energy on winning the race to 6G. The reality is that neither race can be won unless we win both. The champion will be the country that ushers in an era of unmatched productivity and economic growth and leads global advances in national security.

That is why today's hearing is so important. Congress, led by this committee, already passed landmark legislation earlier this year providing a pipeline of 800 MHz of full-power licensed spectrum for commercial use. Whether it is via a macro tower, a small cell, on a rooftop, or inside a building, the full potential of that spectrum depends on access to wireless infrastructure.

At the local level, this can mean the difference between having coverage sufficient to provide access to life-saving connectivity and enough capacity to take advantage of the full

capabilities of advanced 5G and 6G networks. On the global stage, it is the difference between winning the AI race or sitting on the sidelines.

WIA seeks a national wireless infrastructure permitting framework that is predictable, proportionate, and transparent for all. Such a framework respects the important role of local governments in infrastructure siting—in fact, the local government role is essential for the sustainability of the wireless infrastructure ecosystem. We welcome, and in most communities we have, an effective partnership with local governments. Specifically, we need a permitting framework that is:

- **Predictable**: Local regulations that are consistent with federal law, contain objective application review criteria, with clear and workable design standards.
- **Proportionate**: Fees and levels of required review that are commensurate with the nature of the undertaking; upgrades and modifications of existing structures should not require the same level of review as new builds.
- **Transparent**: Clear processes providing the status of projects and feedback on areas of concern. WIA members seek to work with communities to remedy siting issues, but those concerns must be expressed in a clear and timely manner.

The good news is that we are not starting from scratch. The FCC, in a highly bipartisan manner over the past decade, has adopted a series of rules consistent with these principles. The legislation being considered by the Subcommittee today would codify those prior bipartisan actions and strengthen the rules of the road. WIA urges this Subcommittee and Congress to finish the job.

I. Evolving Wireless Networks are Reshaping America.

Whether for daily life, work, or in emergencies, the ability to connect instantly is invaluable—and often assumed. This connectivity supports every aspect of the American economy, from manufacturing to agriculture, healthcare, transportation, education, and beyond. And, while these networks seem magical—they are not magic. They require the right mix of spectrum and infrastructure, access to capital (including federal support in uneconomic areas), and a highly skilled and well-trained workforce to get the job done.

A. Wireless Networks Underpin Modern American Life.

On its own, the wireless industry contributes significantly to the U.S. economy through investments and job creation. In 2024, wireless infrastructure investments—including construction, maintenance, and operations—amounted to more than $63 billion. By the end of 2024, 368,750 full-time workers or equivalents were engaged in building, maintaining, and operating the nation's cellular networks, supporting 5G and LTE, indoor and outdoor coverage and private network deployments. These women and men—from the tower techs to engineers—helped to build, maintain, and operate nearly 155,000 cell towers.[1]

That hard work translates into real life. Imagine you are about to hit "send" on a text to a friend—or maybe you are sending a prompt on your mobile device to your preferred AI service. Your smartphone takes your message or request and turns it into radio waves. If you're outside, those radio waves fly through the open air until they're caught by the antennas on the nearest cell tower. If you're indoors—say at an office building, or maybe a stadium or hospital, in-building

[1] WIA, *Wireless Infrastructure By the Numbers; 2024 Key Statistics* (May 7, 2025), https://wia.org/wireless-infrastructure-by-the-numbers-2024/.

wireless equipment steps in to pick up the signal. From there, the radio waves get translated into pulses of light and travel over fiber optic cables that stretch across neighborhoods, cities, and even oceans. The light pulses eventually reach data centers filled with powerful computers that act like the brains of the wireless network. All of this infrastructure is necessary to satisfy our insatiable hunger for more data. From smartphones to towers and antennas to fiber optic cables to data centers and back again—in milliseconds. This is the ecosystem of America's wireless infrastructure industry that supports every aspect of the economy.

At WIA, our mission is to enable connectivity *everywhere*—every person, every organization, every thing, connected in every corner of the country. The demand for data on wireless networks is steadily increasing for both mobile and fixed wireless access. Last year marked the third straight year of 35 percent growth in mobile data usage—reaching 132 exabytes. The total number of U.S. wireless connections reached 579 million, or 1.7 connections per American. Nearly half of those connections, 259 million devices, are now 5G-enabled.[2]

The 5G evolution has also enabled innovations in home broadband. Fixed Wireless Access (FWA) delivered over 5G networks has emerged as the fastest-growing alternative to traditional fixed broadband. With more than 13 million home internet customers now using 5G FWA, in addition to the efforts of traditional wireless internet service providers (WISPs), wireless providers have brought millions of new broadband connections—and choice—to U.S. households, many of which were previously underserved or entirely unserved by traditional broadband providers. As the *Wall Street Journal* recently reported, this increased rivalry is resulting in more aggressive pricing, better service offerings, and new promotions as wireless and cable operators compete for

[2] *2025 Annual Survey Highlights*, CTIA (Sept. 8, 2025), https://www.ctia.org/news/2025-annual-survey-highlights.

market share.[3] For consumers, this fight is a win, delivering more value and greater flexibility than ever before. This is even more important in rural areas, as one of the most compelling aspects of 5G FWA is its ability to deliver fast, reliable broadband without the need for physical fiber or cable infrastructure all the way to the home. This makes it an ideal solution in areas where laying last-mile fiber is cost-prohibitive, or where the only existing option is copper-based DSL. For too long, many consumers in rural, suburban, and even some urban areas, have had little or no choice when it came to internet service. With the rise of 5G FWA, that dynamic is changing.

In addition to home broadband services, more businesses are turning to wireless for their enterprise indoor connectivity needs—from manufacturing floors to stadiums, hospitals, hotels, and school campuses, to shipping ports and airports. In-building, small cells, and private wireless networks are being deployed across industries for consistent coverage and secure connections, and this connectivity is driving innovation in automation and robotics, patient monitoring, public and employee safety, and customer experience. Analysts estimate more than 40,000 private 4G and 5G networks will be in operation globally by 2030 (a 500 percent increase) with 80 percent of active deployments being private 5G.[4]

B. Wireless Networks: Powering America's AI Future

So how do we win this global tech race? We start by looking right in our own back yard and making sure each American community—rural, urban, and suburban—has rock solid connectivity. Connectivity is the lifeblood of our data-driven world; data that makes AI possible.

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[3] Patience Haggin, *A Fight Between Cable and Wireless Providers Means Cheaper Home Internet for You*, WALL ST. J., (June 24, 2025), https://www.wsj.com/business/telecom/a-fight-between-cable-and-wireless-providers-means-cheaper-home-internet-for-you-b36cc086.

[4] James Blacman, *Private 5G update – 500% growth by 2030*, RCR WIRELESS NEWS (Jul. 31, 2025), https://www.rcrwireless.com/20250731/private-5g/private-5g-500pc-growth.

At a foundational level, wireless infrastructure is AI infrastructure—from data centers to fiber optic lines to antennas and towers. As Congress looks to advance policies to address the energy and permitting needs of data centers, we need an equal focus on the permitting issues for all aspects of wireless infrastructure to unleash the full potential of wireless connectivity—and therefore the full potential of our AI future.

Wireless networks are not merely a supporting act in the AI race. As was seen through the app revolution that 4G networks enabled, generational changes in technology are built on top of wireless networks—and the AI revolution will be no different. The true utility of these tools, unleashing innovations like smart manufacturing and farming, autonomous vehicles, and robust automation, will all be dependent on ubiquitous and reliable wireless connections. As a former National Security Council Director for Emerging Technologies recently put it, "…information gathered on edge devices will be the battleground on which the AI race is won or lost."[5]

Simply put, to continue to advance connectivity across the country, meet consumer demand, maintain our competitive edge in 5G, and lead on 6G and AI, America must build high-speed wireless infrastructure.

II. Congress Can Ensure a Consistent, National Wireless Permitting Framework.

WIA seeks a national wireless infrastructure permitting framework that is predictable, proportionate, and transparent. Such a framework respects the important role of local governments in infrastructure siting. States and communities understand the critical nature of wireless service and wireless infrastructure. They use it to deliver government services and to meet the needs of

[5] Navin Girishankar and Matt Pearl, *The Missing Link in the AI Stack: Why Digital Infrastructure Is Essential to U.S. Leadership*, CTR. FOR STRAT. & INT'L. STUDIES (Apr. 3, 2025), https://www.csis.org/analysis/missing-link-ai-stack-why-digital-infrastructure-essential-us-leadership.

businesses and families. As landowners, partnerships with industry bring in much needed revenue. And, just like the wireless industry, they want to bring innovation and a high quality of life to their communities. WIA and its members share this vision.

A. Bipartisan Efforts: The Strong Foundation for Streamlined Wireless Infrastructure.

Congressional action, aided by sensible implementation at the Federal Communications Commission (FCC), has been effective in reducing barriers to deployment.[6] The fastest, most efficient, and least impactful way to deploy wireless networks is by colocating on existing facilities. Congress recognized this, leading it to enact section 6409 of the 2012 Spectrum Act, providing that "a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station."[7] This provision jumpstarted the deployment of modern wireless networks.

The FCC's subsequent bipartisan orders interpreting this statute have led to significantly more efficient siting of facilities that do not substantially alter the physical environment. These interpretations began under the Obama Administration and Chairman Wheeler, specifying a 60-day "shot clock" for colocations after which the application would be deemed granted.[8] Most

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[6] *See, e.g.*, Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112-96 at Sec. 6409, codified at 47 U.S.C. § 1455(a); *Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012*, Declaratory Ruling, 35 FCC Rcd 5977 (2020) ["*5G Upgrade Order*"]; *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, 30 FCC Rcd 9088 (2018) ["*Small Cell Order*"]; *Accelerating Wireless Broadband Deployment by Improving Wireless Facilities Siting Policies*, Report and Order, 29 FCC Rcd 12865 (2014) ["*2014 Infrastructure Order*"].

[7] Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112-96 at Sec. 6409, codified at 47 U.S.C. § 1455(a).

[8] *2014 Infrastructure Order* at 12961 ("After a careful assessment of the statutory provision and a review of the record, we establish a deemed granted remedy for cases in which the applicable State or municipal reviewing

recently, the FCC's 2020 5G Upgrade Order—enacted during the first Trump Administration under Chairman Pai (with then-Commissioner Carr's leadership), and defended in court by Chairwoman Rosenworcel—made crucial clarifications to the Commission's regulations implementing section 6409 regarding shot clock determinations and when the siting of new facilities would be considered a "substantial change" in physical dimensions under the law.[9]

When new facility deployments are required, there are important rules for "shot clocks" that originated in President Obama's first term under FCC Chairman Genachowski.[10] Similarly, the FCC's 2018 Orders streamlined the deployment of small wireless facilities by clarifying the scope of local authority, curbing excessive fees, and instituting shot clocks for state and local review. The FCC did this by making use of the tools Congress provided in sections 253 and 332 of the Communications Act to promote 5G infrastructure. Relatedly, the FCC used the statutory provisions of section 253(a) to ban siting moratoria while still respecting the role of local governments. Data shows that such reforms were effective, with siting activity in the two years following the FCC's order exceeding the previous seven years combined—an explosive trend that has continued through today.[11]

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authority fails to issue a decision within 60 days (subject to any tolling, as described above) on an application submitted pursuant to Section 6409(a).").

[9] *Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012*, Declaratory Ruling, 35 FCC Rcd 5977 (June 10, 2020) ("*5G Upgrade Order*") (*aff'd*, *League of CA Cities, et al. v. FCC*, No.20-71765 (9th Cir. 2024)).

[10] *See City of Arlington, Tex. v. FCC*, 668 F.3d 229, 256 (5th Cir. 2012) (*aff'd*, 133 S. Ct. 1863 (2013)).

[11] *See* CTIA, *2021 Annual Survey Highlights*, at 5 (July 17, 2021), https://www.ctia.org/news/2021-annual-survey-highlights (showing that more cell sites were deployed in the two years following the FCC's siting reform than the previous 7 years combined); CTIA, *2024 Annual Survey Highlights*, at 6 (Sept. 10, 2024), https://www.ctia.org/news/2024-annual-survey-highlights (detailing sustained deployment including a continued 24% year over year increase in cell site deployment).

Now, under the leadership of Chairman Carr, the FCC is focused on supporting "Build America" policies that ensure critical communications infrastructure can be deployed as quickly as possible.[12] The fiber and wireless streamlining efforts of this plan will address key remaining roadblocks to deployment and promote America's connected future.[13] We are encouraged by the potential of these actions that continue a highly bipartisan tradition of streamlining infrastructure deployment to the benefit of all Americans.

B. Congress' Role is to Maintain and Strengthen Streamlining Reforms.

The permitting barriers removed via FCC interpretation of statute are critical but require Congressional action. Notwithstanding the agency's orders being affirmed on appeal,[14] continued efforts to skirt the bounds of FCC rules now matched with broader changes to administrative law emphasize the need for Congressional action. With the landmark decision in *Loper Bright*, which removed the standard of deference courts must provide agency interpretations, the impetus to legislate is now back with Congress.[15] Indeed, the legislative package before the Subcommittee today is a unique opportunity to meet this moment in a post-*Chevron* landscape. The blueprint for

[12] *See A Build Agenda for America*, Remarks of FCC Chairman Brendan Carr (Jul. 2, 2025), https://docs.fcc.gov/public/attachments/DOC-412663A1.pdf (outlining the focus of the Build America Agenda to include accelerating high-speed infrastructure builds, restoring America's leadership in wireless, and strengthening America's telecom workforce, among others).

[13] *See, e.g.*, *In the Matter of Build America: Eliminating Barriers to Wireless Deployments*, WT Docket No. 25-276; *In the Matter of Build America: Eliminating Barriers to Wireline Deployments*, WC Docket No. 25-253 (items to be considered at the FCC's September 2025 Open Meeting to address outstanding siting issues under its preemption authority provided in sections 253, 332, and 6409).

[14] *League of CA Cities, et al. v. FCC* (upholding the majority of the FCC's 2020 *5G Upgrade Order* clarifying applications of section 6409); *City of Portland v. United States*, 969 F.3d 1020 (9th Cir. 2020), *cert. denied, City of Portland v. FCC*, 141 S. Ct. 2855 (2021) (largely upholding the FCC's decisions to implement limitations on rules for siting small wireless facilities); *Montgomery County v. FCC*, 811 F.3d 121 (4th Cir. 2015) (affirming 2014 order implementing section 6409).

[15] *Loper Bright Enterprises et al. v. Raimondo, Secretary Of Commerce, et al.*, 603 U. S. ____ , 17-19(2024) (providing that courts must adhere to the clear intent of Congress in its degree of delegation in the statute, rather than defer to reasonable interpretations of ambiguous questions in reviewing agency actions).

today's legislation is the culmination of over a decade of work at the FCC, spanning multiple administrations and directed at the bipartisan goal of ensuring critical broadband infrastructure is ubiquitously and timely deployed. By adopting legislation consistent with the carefully considered conclusions of the Commission, Congress can ensure that these needed reforms remain available to spur critical communications deployments across the country.

Accordingly, while the FCC's existing rules must be respected, WIA supports efforts to codify the FCC's interpretive decisions, and several bills included in the package for discussion today aim to do so. This includes the legislation before the Subcommittee today, including those that would make permanent reforms to shot clocks and prevent unreasonable fees, among other changes consistent with previous FCC efforts. These bipartisan FCC reforms have already had a real impact on wireless deployment, but it is up to Congress to preserve and strengthen these rules.

Siting on federal lands also continues to be a vexing proposition despite previous Congressional action, so WIA is pleased to see bills that would allow continued deployment in these important areas. As provided in the MOBILE NOW Act, federal land management agencies are directed to streamline the permitting process through the adoption of a common application form and to act on those applications within 270 days.[16] Unfortunately, this process has still not been fully implemented, with the Government Accountability Office (GAO) reporting that less than half of communications use applications on Bureau of Land Management lands were being approved within that timeline, while over forty percent did not have sufficiently accurate and complete information to determine whether they met the deadline.[17] As we continue to push

[16] Consolidated Appropriations Act 2018, Pub. L. No. 115-141, Division P [Mobile Now Act].

[17] *Broadband Deployment: Agencies Should Take Steps to Better Meet Deadline for Processing Permits*, GAO-24-106157 (Apr. 2024), https://www.gao.gov/assets/gao-24-106157.pdf.

networks further out across rural America, timely access to siting on federal lands, particularly in the west, is essential. The Subcommittee now has before it bills that would pick back up the torch on the reforms provided in MOBILE NOW by reauthorizing and charging the Department of Commerce and NTIA to implement modern processing and tracking tools for federal land management agencies.

Another important element of setting the right national permitting framework is ensuring environmental reviews are proportionate to the undertaking. Deployments that upgrade existing facilities, are proposed in brownfield areas, or are rebuilding infrastructure damaged during a disaster, do not require the same level of scrutiny that other new deployments may. While there are many current developments in the overall application of the National Environmental Protection Act and the National Historic Protection Act, the bills presented for discussion today continue to advance the important notion of proportionality.

The time for action is now. Congress has already set the stage for broadband deployment with the Infrastructure Investment and Jobs Act, which created the BEAD program, as well as a commitment to putting 800 MHz of licensed commercial spectrum to use in the recent budget reconciliation legislation. As Chairman Carr has previously testified, creating the deployment mechanism without streamlining permitting "is like stepping on the gas and brakes at the same time."[18] This sentiment was shared by former President Biden's Deputy Secretary of Commerce Don Graves, who highlighted "permitting, permitting, permitting" as one of the main issues preventing broadband deployment.[19]

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[18] *The Fiscal Year 2025 Federal Communications Commission Agency Budget*, Testimony of Brendan Carr, Commissioner, FCC, SUBCOMM. ON COMM'NCS. AND TECH (Jul. 9, 2024), https://docs.fcc.gov/public/attachments/DOC-404046A1.pdf.

[19] Don Graves, Deputy Secretary of Commerce, https://ustelecom.org/american-connectivity-forum/ (40:03).

III. Congress Should be Proactive in Enabling the Infrastructure Workforce.

Finally, we must also recognize the men and women working across the country to build and operate broadband networks and continue to focus our efforts on developing the workforce capable of meeting the broadband deployment needs of today and tomorrow. WIA is a national leader in workforce development for the wireless and broadband industry, and we appreciate the efforts Congress and the Administration have taken to make resources available for this purpose. WIA is committed to proactively working with stakeholders nationwide to ensure our communications workforce needs do not become an additional barrier to deployment.

WIA has been proud to be part of the broadband workforce solution through our Telecommunications Industry Registered Apprenticeship Program (TIRAP).[20] From tower construction leads to wireless and fiber optic technicians to utility installers, TIRAP helps to prepare the skilled and technical workforce needed to deploy wireless and AI infrastructure across America. These careers also present a viable alternative to traditional four-year institutions that allow participants to earn while they learn. WIA supports the Administration's stated goal of registering at least one million apprentices and looks forward to continued collaboration with all stakeholders to achieve this vision.

Infrastructure projects are, at their core, jobs programs. Accordingly, WIA believes BEAD can serve as a springboard not just for jobs, but long-term careers. Workforce development is already an eligible use of BEAD funding, but it has never been prioritized in the manner necessary to maximize the nation's investment. Consistent with the core objectives of the "Infrastructure, Investment, and Jobs Act," Congress should encourage NTIA to prioritize workforce development

[20] *See* Telecommunications Industry Registered Apprenticeship Program (TIRAP), https://www.tirap.org/ (last visited Sept. 15, 2025).

programs now, at the outset, so that the workforce required to deploy BEAD is ready to start installing broadband at the jump. NTIA should emphasize and encourage states to adopt proven solutions, such as the use of industry intermediaries and apprenticeship programs, that support long-term career development opportunities. To this end, WIA supports the goal of the SPEED for BEAD Act, which explicitly enumerates workforce development as an appropriate use of BEAD non-deployment funding.[21]

V. Conclusion

Today's hearing, and the bills it will consider, tee up many important issues as we seek to advance the future of American connectivity. There is a lot at stake, and I am grateful to add to the conversation.

[21] H.R. 1870, SPEED for BEAD Act, 119th Cong. (2025).