

Municipal Resolution Opposing H.R. 3557

The American Broadband Act of 2023

1. **WHEREAS**, the 1996 Telecommunications Act (TCA) granted to local authorities the power to regulate the deployment of wireless telecommunications infrastructure in their communities, subject to certain prescribed restrictions; and
2. **WHEREAS**, Congress is considering the passage of The American Broadband Act of 2023 (H.R. 3557), legislation introduced with little notice and without full text, and based on a single hearing in which only supporters of national pre-emption of local authority were heard; and
3. **WHEREAS** the proposed legislation that would override the TCA, drastically curtail the rights of local authorities and bestow unprecedented power on the Federal Communications Commission (FCC), a politically appointed, non-cabinet level body; and
4. **WHEREAS**, the proposed legislation would grant virtually unlimited access to public rights of way in every municipality in the country to purveyors of wireless technology and infrastructure; and
5. **WHEREAS**, the proposed legislation would replace local federal district courts with the FCC as the reviewing body for challenges to local government decisions regarding wireless facility applications, requiring local authorities to travel to Washington DC to defend their actions; and
6. **WHEREAS**, the legislation would mandate that any decision by a local authority to deny a permit for a wireless facility must be accompanied by a written explanation of the denial on the same day such decision was made; and
7. **WHEREAS**, the proposed legislation significantly weakens important environmental controls and historic preservation laws as they relate to the deployment of wireless infrastructure; and
8. **WHEREAS**, the legislation would also eliminate cable franchise renewals and restrict the ability of state or local franchising authorities to enforce franchise obligations, while granting cable operators the right to use local rights-of-way to provide non-cable services while prohibiting local authorities from imposing any fees for such use of those rights-of-way.

NOW, THEREFORE, BE IT RESOLVED, that *(insert name of village, town, city or county)* strongly opposes the American Broadband Act of 2023 and urges its defeat in Congress.

This document was prepared by Americans for Responsible Technology based in part on a resolution authored by the National Conference of Mayors.

