

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

RESOLUTION OF THE CITY COUNCIL	
Opposition of H.R. 3557, the “American Broadband Act of 2023.”	
Fiscal Impact:	-0-
File Number:	23-1210
Date Introduced:	December 19, 2023

FISCAL IMPACT SUMMARY			
COSTS	<i>Budget Neutral</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>Included in Budget:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
SOURCE	<i>Fee Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>TID Source: Increment Revenue</i> <input type="checkbox"/> <i>Debt</i> <input type="checkbox"/> <i>Funds on Hand</i> <input type="checkbox"/> <i>Interfund Loan</i> <input type="checkbox"/>		

RESOLUTION

WHEREAS, H.R. 3557, the “American Broadband Act of 2023” was approved by the House Committee on Energy and Commerce without any testimony from state or local government representatives;

WHEREAS, Had state or local government representatives been allowed to speak, municipalities surely would have made the committee aware that this bill represents an unprecedented and dangerous usurpation of local government authority to manage public rights-of-way and land use;

WHEREAS, the bill requires local governments to cede a great deal of control to private telecommunications companies, but they are getting nothing in return - no obligation to provide broadband to “unserved” and “underserved” areas, no timeline for construction, and no accountability to communities;

WHEREAS, H. R. 3557 strips local governments of monetary compensation in favor of cable, wireless and telecommunications providers;

WHEREAS, H. R. 3557 pre-empts local governments’ management authority, zoning powers, cable franchising authority, and property rights;

WHEREAS, H. R. 3557 deems siting decisions as granted if not denied by a local government within 60

days, which is as little as 25 % of the time the federal government gives itself to make identical decisions concerning access to federal property;

WHEREAS, H. R. 3557 makes virtually any local government decision not to allow a provider to install a wireless facility a “prohibition” preempted by federal law, and it would require local governments to draft and publicly release a written explanation for the decision to deny an application on the same day it votes on the decision—a virtually impossible task;

WHEREAS, H. R. 3557 substitutes the FCC for the local federal district court as the reviewing body for challenges to local government decisions regarding wireless facility applications, thus breaking the promise made by Congress in 1996 that local governments would not be required to travel to Washington to defend local decisions;

WHEREAS, H. R. 3557 would eliminate Wisconsin’s 10-year cable TV licensing renewal requirement and would allow video service providers to ignore provisions for “good cause,” thereby further restricting the ability of the State to enforce video service statutory obligations such as public, educational, and government access channel capacity and customer service requirement;

WHEREAS, H. R. 3557 affirmatively grants cable operators the right to use local rights-of-way to provide non-cable services while prohibiting localities from imposing any fees on non-cable services for use of those rights-of-way;

WHEREAS, H. R. 3557 waives historic preservation (NHPA) and environmental (NEPA) rules;

BE IT RESOLVED, that the City of Wausau urges you to vote against H. R. 3557 when it comes to a floor vote as this bill undermines local and state government authority to an unprecedented degree and seeks to tie the hands of local governments; and

BE IT FURTHER RESOLVED that the proper city officials and staff are hereby authorized and directed to execute any and all documents or agreements which are necessary to accomplish the reprogramming of funds.

Approved:

Katie Rosenberg Mayor