



### Talking points for Local Governments re H.R. 2289:

H.R. 2289 is an unprecedented and dangerous usurpation of local governments' authority to manage public rights-of-way and land use. The bill favors cable, wireless and telecommunications providers.

In return for these favors, the bill imposes no obligations on cable, wireless and telecommunications companies to provide broadband to "unserved" and "underserved" Americans through the use of our public roadways, owned by our citizens.

- This bill is a sweeping effort to take Public Rights of Way management and Public Property decisions away from state, local, and tribal governments through federal preemption and industry-friendly defaults.
- The core ingredient— **deemed approval with impossible federal shot clocks** — appears throughout every title.
- This bill guts meaningful local community oversight over our roads, streets and public ways; historic preservation; and tribal consultation rights.
- Contrary to its name, this legislation would strip local authorities of their ability to protect public safety and manage community resources, effectively replacing local expertise with a rigid, "one-size-fits-all" federal mandate.
- Local governments' broadband permitting and cable franchise functions facilitate safe, productive deployment in our public rights-of-way while protecting roads and residents from harm caused by poorly planned or executed construction.
- The local permitting process is an essential tool for avoiding unnecessary repairs and cost overruns – whether from staffing overtime or reduced infrastructure lifespan caused by multiple intrusions into the right-of-way. By imposing rigid federal "shot clocks" and restricting local authorities' ability to negotiate fair compensation for the use of public property, H.R. 2289 creates a framework that prioritizes communication companies' shareholder value at the expense of the safety and financial interests of the communities and the taxpayers they serve.



- By limiting cost-recovery mechanisms for application reviews, the bill effectively forces local taxpayers to subsidize private providers' administrative expenses – a cost that falls entirely on the public.
- As we face unprecedented advances in both artificial intelligence technology and federal investments in broadband infrastructure, local governments seek to be constructive partners and rely on local zoning and permitting authority to make thoughtful decisions. Communities throughout the country are actively determining what AI infrastructure looks like in their communities.
- These zoning and permitting authorities enable cities, towns, and counties to make smarter decisions that create economic benefits for their communities and respect citizens' concerns.
- In the unlikely event a permittee seeks relief; the FCC already possesses sufficient authority to intervene under Sections 253 and 332 of the Communications Act of 1996.

#### **PSA videos for Local Governments Opposing H.R. 2289:**

With a big shout-out & thanks to the good folks at the Jersey Access Group for creating these two public service announcement videos which you can show in your cities, counties, towns and villages and also use on your stations:

1. A three-minute video opposing H.R. 2289

[3 Minute Video on H.R. 2289 Via DropBox](#)

[3 Minute Video on HR 2289 Via YouTube](#)

2. A one-minute overview of H.R. 2289

[1 Minute Video on HR 2289 via DropBox](#)

[1 Minute Video on HR 2289 via YouTube](#)

And for those of you who use TelVue Connect:

[HR 2289 PSA 1 min](#) (Jersey Access Group)

[HR 2289 PSA](#) (Jersey Access Group)