

## Geography Drives Debate on Broadband Section of Stimulus

By Adrienne Kroepsch, CQ Staff

The House Energy and Commerce Committee on Thursday approved nearly \$3 billion in funding for broadband Internet infrastructure as part of the economic stimulus bill, but not without tangling for several hours over how the money should be spent.

Faced with the reality that House Democrats will leverage their majority to move the stimulus bill quickly to President Obama's desk, Republicans on the committee generally stuck to debating the fine print -- and were joined by some Democrats along the way. The committee approved its section by voice vote.

The debate broke down not over party lines, but over rural and urban interests. Of particular concern was language in the committee draft that would divvy up \$1.8 billion in grants for broadband development over "wired" infrastructure such as cable or telephone systems. Under the draft, 75 percent of that total would go to areas that have a little bit of Internet infrastructure, or "underserved" areas -- rather than to places that have no broadband at all, the "unserved" parts of the country. Unserved regions would receive the remaining 25 percent of funds.

The legislation would leave it up to the Federal Communications Commission to define "unserved" and "underserved," giving the agency a considerable amount of power in the broadband deployment process.

Procedural hawks were none too pleased with the draft, including former committee Chairman John D. Dingell, D-Mich. The markup, led by Chairman Henry A. Waxman, D-Calif., was Dingell's first without the panel's gavel.

"I think we need to give some instruction to the FCC in the committee report . . . but I would urge that there would be a strong need for legislative oversight to ensure that the FCC doesn't tranquilly go to sleep on this, or so that the FCC doesn't screw the matter up, as they so regularly do," Dingell said.

Lee Terry, R-Neb., agreed: "Frankly, handing [these definitions] off to the FCC is an atrocious abrogation of our policy duties."

Lawmakers from rural districts -- particularly Greg Walden, R-Ore., and Steve Buyer, R-Ind. -- were no fans of the legislation's lean toward funding Internet build-out in suburban and urban areas.

They clashed with Edward J. Markey, D-Mass., who defended the language by noting that it was not a hard cap but an "aspirational goal" and pointed out that a separate \$3 billion in broadband funding will be directed entirely to rural America through the Rural Utilities Service. That program falls under the Agriculture Committee's section of the stimulus package. Combined, the Agriculture and Energy and Commerce provisions would provide \$6 billion in total broadband funding.

"In an adjacent ballroom here, half of the money off the top is going entirely to rural America," Markey said of the Agriculture Committee's \$3 billion. "I also don't believe an underserved urban or suburban area should have to wait for assistance until all rural unserved areas are reached."

The language remained largely the same at the end of the day.

### **Broadband 'Mapping'**

Lawmakers also fought over the fate of a nationwide broadband "mapping" effort (PL 110-385) enacted in the fall of 2008. The stimulus legislation would include \$350 million to fund the mapping initiative -- which would produce a national audit of broadband availability across the country. The 2008 law did not actually fund the project.

Some lawmakers want to wait for the mapping project to be completed by the National Telecommunications and Information Administration (NTIA) before the agency begins doling out Internet grants, in hopes that the FCC would be better able to define "unserved" and "underserved" areas with the additional data.

The panel did adopt, by a voice vote, an amendment by Bart Stupak, D-Mich., to require the FCC to review the NTIA's map within three months of its publication and revise its service definitions for broadband grants if necessary. Some lawmakers thought that was a terrible idea.

"So you're telling me we're going to spend \$3 billion with definitions we aren't willing to write and then leave it to an agency that's going to change the definitions after states have submitted their applications for broadband

grants?" Walden asked.

Beyond the \$1.8 billion for wired networks, the Energy and Commerce bill also proposes \$1 billion for wireless broadband projects.

Rhetoric was so heated over the details of how broadband funding would be distributed that lawmakers hardly fought over the controversial open-access rules that would cover the government-subsidized Internet lines when built.

Cliff Stearns, R-Fla., managed to stoke a separate debate on the digital-television transition, however, by offering and withdrawing an amendment that would allocate \$250 million to help consumers with the Feb. 17 switch. Republicans oppose delaying the transition, and they were surprised Jan. 21 when Waxman suddenly canceled consideration of a draft bill that would postpone the analog shutdown until June.

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