STATEMENT OF 
CHAIRMAN AJIT PAI

Re:  Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure 
Investment, WT Docket No. 17-79

If the United States is going to lead the world in 5G, we need to modernize our wireless 
infrastructure regulations. Our efforts to unleash spectrum for consumer use are necessary, but they 
aren’t sufficient to secure our 5G future. In fact, they’ll be pointless if carriers can’t deploy the physical 
infrastructure needed to bring next-generation services to the American people.

And unfortunately, our current wireless infrastructure rules are a poor fit for the 5G networks of 
the future. They were designed with 200-foot towers in mind, not the highly-densified networks of small 
cells that will be common in the 5G world.

That’s why today’s Order is so important. We take a giant leap forward in updating our wireless 
infrastructure rules. By cutting unnecessary red tape, we’ll make it substantially easier for carriers to 
build next-generation wireless networks throughout the United States. That means faster and more 
reliable wireless services for American consumers and businesses. That means more wireless innovation, 
such as novel applications based on the Internet of Things. And ultimately, that means American 
leadership in 5G.

Specifically, we clarify today that small cells are inherently different from large towers. So they 
shouldn’t face identical regulatory review under the National Historic Preservation Act and National 
Environmental Policy Act. We also streamline the process for Tribal review notifications through our 
Tower Construction Notification System.

In developing today’s Order, we have engaged extensively with Tribal Nations, intertribal 
organizations, and state and local historic preservation officers. These consultations have improved our 
work product.

For example, Tribes complained that wireless companies sometimes give them insufficient 
information about proposed macro tower deployments that could potentially affect historic properties. 
Today’s Order therefore requires infrastructure siting applicants to give potentially affected Tribal 
Nations and Native Hawaiian Organizations a standardized set of information for undertakings going 
forward. Providing this information at the initial notification stage will enable Tribes to more efficiently 
determine whether projects may affect historic properties of religious or cultural significance.

But we also heard from numerous parties seeking to deploy infrastructure about abuse of the 
review process, including some Tribal Nations charging upfront fees even before a response. For 
instance, one company recently paid over $12,000 to install one small cell outside a steel factory in 
Indiana, where all ultimately agreed there was no effect on historic property. Another company paid over 
$15,000 to install a single small cell in downtown Milwaukee. Yet another company stated that 26% of 
small-cell deployment costs, including for equipment, came from historic preservation and environmental 
review alone. Extrapolating that out to the thousands of small cells needed for next-generation services, it 
becomes clear: You can stick with the regulatory status quo or you can have 5G. You cannot have both.

To address that issue, we are going back to following the law. Aside from deterring deployment, 
upfront fees contradict Advisory Council on Historic Preservation guidance. Because these fees are 
inconsistent with both law and consumer welfare, we will not coerce private entities into paying them 
going forward.
The other main piece of today’s Order speeds wireless infrastructure deployment by eliminating the requirement that applicants file Environmental Assessments solely due to the location of a proposed facility in a floodplain, as long as certain conditions are met. Here too, we’re reducing unnecessary barriers to the construction of next-generation networks.

Today’s Order would not have been possible without the hard work of Commissioner Carr, who is leading our efforts on the wireless infrastructure front. I’d like to thank him and his staff for their skillful work on this Order, and I look forward to collaborating with them as we address additional barriers to deployment in the months to come. And I’d also like to thank all of the staff who have diligently worked on wireless infrastructure issues over the past year, and in particular, those who worked on this item. Thanks to Saurbh Chhabra, Aaron Goldschmidt, Garnet Hanly, Leon Jackler, Dan Margolis, Darrel Pae, Erica Rosenberg, Jennifer Salhus, Dana Shaffer, David Sieradzki, Jill Springer, Jeffrey Steinberg, Don Stockdale, Suzanne Tetreault, and Mary Claire York from the Wireless Telecommunications Bureau; Ashley Boizelle, Deborah Broderson, Thomas Johnson, Marcus Maher, and Linda Oliver from the Office of General Counsel; Matthew Duchesne, Barbara Esbin, and Patrick Webre from the Consumer and Governmental Affairs Bureau; Adrienne Denysyk, Holly Saurer, and Michael Wagner from the Media Bureau; Cathy Williams from the Office of Managing Director; Chana Wilkerson from the Office of Communications Business Opportunities; Chris Anderson, Kenneth Burnley, Megan Henry, David Plotinsky, and Michael Wilhelm from the Public Safety and Homeland Security Bureau; and, Kathy Harvey, Jason Koslofsky, JoAnn Lucanik, Aspa Paroutsas, Kevin Pittman, and Michael Scurato from the Enforcement Bureau.

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Lately, there’s been a lot of talk about American leadership in 5G. But talk is cheap; action is what actually matters. And now is the time for action. A vote for this Order is a vote for concrete action that will help the United States lead the world in 5G. It’s a vote for better, faster, and cheaper mobile broadband for the American people. It’s a vote for making the United States the best home for wireless innovation and investment. And it’s a vote to extend digital opportunity to more of our citizens. That future is a bright one, and it’s one I’m determined to deliver by supporting this Order.