

At a Glance

S. 323, PLAN for Broadband Act

As ordered reported by the Senate Committee on Commerce, Science, and Transportation on March 12, 2025

By Fiscal Year, Millions of Dollars	2026	2026-2030	2026-2035
Direct Spending (Outlays)	*	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	3	6	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	Yes
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	Yes, Under Threshold

* = between zero and \$500,000.

The bill would

- Require the National Telecommunications and Information Administration (NTIA) to develop a plan to improve coordination among federal agencies to expand broadband access
- Direct federal agencies to track and report on application-processing times for permits to build or maintain communications facilities on federal land
- Expand the types of projects eligible for coverage under title 41 of the Fixing America's Surface Transportation Act, which streamlines federal permitting and environmental review for large energy and infrastructure projects
- Increase the cost of an existing private-sector mandate if the Federal Communications Commission increases annual fees to offset the cost of implementing the bill

Estimated budgetary effects would mainly stem from

- Increases in spending subject to appropriation for the NTIA to develop the plan
- Increases in direct spending for expedited federal spending on broadband projects

Detailed estimate begins on the next page.

See also

[CBO's Cost Estimates Explained](#), [CBO Describes Its Cost-Estimating Process](#), [Glossary](#)



Bill Summary

S. 323 would require the National Telecommunications and Information Administration (NTIA) to develop a plan for improving coordination among federal agencies to expand access to broadband Internet and to submit that plan to the Congress. The bill also would direct several federal agencies to report to the NTIA and the Congress on efforts to track broadband construction and to assist the Federal Communications Commission (FCC) with filling in its map that depicts national access to broadband. In addition, the bill would require the Government Accountability Office (GAO) to study and report on the plan’s effectiveness.

Under the bill, agencies specified in the bill would be required to track processing times for permit applications to install, construct, modify, or maintain communications facilities on federal land. (Under current law, such applications must be processed within 270 days.) The bill would require those agencies to analyze any delays, expedite processing, and report annually to the Congress.

Finally, S. 323 would amend title 41 of the Fixing America’s Surface Transportation (FAST) Act to expand the types of projects that are eligible for coverage under the FAST-41 program, which was established in 2015 to streamline federal permitting and environmental review for large energy and infrastructure projects. The bill would lower the cost threshold at which covered broadband construction projects that are subject to review under the National Environmental Policy Act (NEPA) qualify for the FAST-41 program from \$200 million to \$5 million.

Estimated Federal Cost

The estimated budgetary effect of S. 323 is shown in Table 1. The costs of the legislation primarily fall within budget function 370 (commerce and housing credit).

Table 1. Estimated Increases in Spending Subject to Appropriation Under S. 323						
	By Fiscal Year, Millions of Dollars					2026-2030
	2026	2027	2028	2029	2030	
Estimated Authorization	3	2	1	*	*	6
Estimated Outlays	3	2	1	*	*	6

* = between zero and \$500,000.
CBO estimates that enacting S. 323 would increase direct spending by less than \$500,000 over the 2026-2035 period.



Basis of Estimate

CBO assumes that S. 323 will be enacted by the end of 2025.

Spending Subject to Appropriation

Using information from the NTIA, CBO estimates that implementing S. 323 would cost \$6 million over the 2026-2030 period. Any related spending would be subject to the availability of appropriated funds.

CBO estimates that the costs for employee compensation and contracting to develop a plan to improve coordination among federal broadband programs would total \$5 million over the 2026-2030 period. Among other responsibilities, the NTIA would be directed to coordinate the work of federal agencies to establish a strategy, identify potential funding caps for certain broadband subsidies, and create benchmarks for the performance of federal broadband programs.

Using information about the cost of similar reports, CBO estimates that the cost for GAO to complete its study, for 15 federal agencies to report to the NTIA within 60 days of enactment, and for federal agencies to report on delays in processing permits for communications facilities would total \$1 million over the 2026-2030 period.

CBO estimates that it would cost the FCC less than \$500,000 over the 2026-2030 period to consult with and report to the NTIA and to the Congress about broadband projects. However, because the FCC is authorized to collect fees each year that are sufficient to offset the appropriated costs of its regulatory activities, CBO estimates that the net cost to the agency would be negligible, assuming appropriation actions consistent with that authority.

Direct Spending

S. 323 would authorize certain broadband construction projects to participate in the FAST-41 permitting program, which is administered by the Federal Permitting Improvement Steering Council. To participate in FAST-41 under current law, a project must require an investment of more than \$200 million and be subject to NEPA review. S. 323 would reduce that cost threshold to \$5 million for broadband projects. CBO expects that under the bill many broadband construction projects that will be funded through the NTIA's Broadband Equity, Access, and Deployment (BEAD) Program would be newly eligible for FAST-41 coverage. The Infrastructure Investment and Jobs Act provided \$42 billion in 2021 for the BEAD Program, which is designed to increase high-speed Internet access across the United States by funding planning, mapping, and deployment of broadband networks. CBO expects that funds for some BEAD projects that would participate in the FAST-41 program could be spent more quickly under S. 323 than under current law. Thus, net direct spending would increase over the 2026-2035 period for those projects.

CBO expects that the increase in direct spending under the bill would be insignificant for three reasons. First, participation is voluntary, so many projects may not choose to



participate in FAST-41 even if they are newly eligible under the bill. Second, because most broadband projects are categorically excluded from NEPA's documentation requirements, CBO expects that very few broadband projects would benefit from FAST-41 participation. Only projects that require an environmental impact statement (EIS) or environmental assessment under NEPA would be eligible for FAST-41.

Third, CBO is uncertain about the extent to which any BEAD projects that newly participate in FAST-41 under the bill would spend funds more quickly than under current law. The Permitting Council's fiscal year 2024 report to the Congress shows that FAST-41 projects completed their environmental impact statements 23 percent faster than all projects requiring an EIS in that year.¹ However, the NTIA is also streamlining requirements for permitting and environmental review, which reduces the effect of FAST-41 on the permitting process. Certain large, complex projects could benefit by using FAST-41, but those projects would still need to adhere to federal, state, and local permitting and environmental requirements, which all serve to delay project timelines regardless of FAST-41 participation.

Pay-As-You-Go Considerations

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. CBO estimates that enacting the bill would increase direct spending by less than \$500,000 over the 2026-2035 period.

Increase in Long-Term Net Direct Spending and Deficits

CBO estimates that enacting S. 323 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2036.

Mandates

If the FCC increases annual fees to offset the costs of implementing provisions in the bill, S. 323 would increase the cost of an existing private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA) on private-sector entities required to pay those fees. CBO estimates that the incremental cost of the mandate would be small and would fall well below the annual threshold established for private-sector mandates (\$206 million in 2025, adjusted annually for inflation).

S. 323 contains no intergovernmental mandates as defined in UMRA.

1. Permitting Council, *Permitting Council FY 2024 Annual Report to Congress* (April 2025), <https://tinyurl.com/y54sc22w>.



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A handwritten signature in black ink, appearing to read "Phillip L. Swagel". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Phillip L. Swagel

Director, Congressional Budget Office