

January 11, 2018

## Executive Actions to Spur Rural Broadband

On Jan. 8, President Trump issued an [Executive Order](#) to all executive agencies to use all “viable tools” to accelerate the deployment of broadband internet access service in rural America. The president also signed a [Memorandum](#) directing the Secretary of Interior to develop a plan to streamline access to tower facilities and other infrastructure assets on Department of Interior-managed federal lands.

The primary actions taken in the Executive Order include completing and mandating the use of a standardized siting application form and requiring agencies to track their record in acting on siting requests. These actions should make the review of siting requests more efficient and will provide additional predictability regarding the availability of locations for broadband facilities.

The president’s actions complement those taken by Chairman Pai of the Federal Communications Commission, which has made closing the digital divide in rural America a major policy goal. The commission has several ongoing proceedings designed to expedite rural broadband infrastructure deployment.

In these actions, the administration finds that expanding reliable, affordable broadband internet service to rural communities will increase economic prosperity. The Executive Order explains that access to broadband internet in rural areas will attract new businesses, enhance job growth, extend the reach of affordable, high-quality health care, enrich student learning, and facilitate access to the digital marketplace.

The Executive Order directs all executive departments and agencies “to reduce barriers to capital investment, remove obstacles to broadband services, and more efficiently employ Government resources.” Specifically, it directs:

- the General Services Administration (GSA) to develop a common form application and master contract for wireless siting on federal property;
- the GSA, in coordination with heads of federal property management agencies to, within 180 days, assess the common application form’s effectiveness in expediting requests to locate broadband facilities on federal property;
- all applicants and federal property managing agencies to use the common form for wireless tower siting requests and “expeditiously review and approve such requests unless approval would negatively affect performance of the agency’s mission or otherwise not be in the interests of the United States;” and,
- all federal property managing agencies to provide quarterly reports on the number of applications, the time taken to make a decision, the percentage of acceptances and denials, and an explanation of all denials.

The Memorandum to the Interior Secretary additionally addresses broadband deployment on federal lands. It directs the secretary to develop a plan to support rural broadband development and adoption by increasing access to tower facilities and other infrastructure assets managed by the department, and to draft model terms and conditions for use in securing tower facilities and other infrastructure assets for broadband deployment. The secretary must report on progress within 180 days.

These executive actions reflect a report by a task force established last April to assess barriers to rural economic prosperity. Released concurrently with the executive actions, [the report](#) states that e-connectivity is essential for improving the quality of life in rural America. The report recommends exploring all options for new broadband networks, including satellite, fixed and mobile networks.

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The push for rural broadband deployment has also received bipartisan support in Congress. Lawmakers on both sides of the aisle have stated that expanding broadband coverage into rural areas of the United States will spur economic growth as well as increase the quality of health care and educational opportunities.

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*This document is intended to provide you with general information regarding executive efforts to accelerate broadband internet access service in rural areas. The contents of this document are not intended to provide specific legal advice. If you have any questions about the contents of this document or if you need legal advice as to an issue, please contact the attorneys listed or your regular Brownstein Hyatt Farber Schreck, LLP attorney. This communication may be considered advertising in some jurisdictions.*