
January 27, 2022

Christine Heflin
Chief Evaluation Officer
Office of the Under Secretary for Economic Affairs
U.S. Department of Commerce
1401 Constitution Avenue NW
Washington, DC 20230

Dear Ms. Heflin:

The Western Governors' Association (WGA) appreciates the opportunity to provide comments to the U.S. Department of Commerce's (DOC) Office of the Under Secretary for Economic Affairs on the Department's FY 22/26 Learning Agenda ([86 FR 68630](#)). WGA represents the Governors of the 22 westernmost states and territories and is an instrument of the Governors for bipartisan policy development, information sharing, and collective action on issues of critical importance to the western United States.

Western Governors have been actively engaging with federal agencies as they carry out the provisions of the Foundations for Evidence-Based Policymaking Act of 2018 (the Evidence Act, Pub. L. 115-435), and remain vitally interested in the required development of agency learning agendas. The Evidence Act expressly requires that, in developing learning agendas, agency heads, "shall consult with stakeholders, including the public, agencies, state and local governments, and representatives of non-governmental researchers."

In WGA Policy Resolution [2021-02, Utilizing State Data in Federal Decision Making](#) (attached), Western Governors urge the federal government to consult with states and state agencies as partners – rather than ordinary stakeholders – in the collection, stewardship, analysis, and use of data to inform federal decision-making processes. Further, federal agencies should consult with states to develop policies that more effectively and consistently incorporate state data into federal decision making. Western Governors urge DOC to consult directly with states to identify data sets that are relevant to the Department's learning agenda.

Western Governors agree with the Department's focus on evaluating "the extent to which programs are reaching traditionally underserved communities and populations and meeting their needs," which is noted as a common theme across research questions in the learning agenda. Western Governors are concerned that federal programs, including those administered by DOC and its bureaus, are not sufficiently accessible, particularly for rural communities and populations. These concerns are addressed in WGA Policy Resolution [2020-07, Rural Development](#) (attached). In the resolution, Western Governors note that, "strengthening social infrastructure in rural communities is the best strategy to ensure rural quality of life and prosperity... [W]e urge federal agencies to work with states to: thoroughly evaluate program requirements; identify barriers for rural applicants; and revise onerous requirements in a manner that recognizes the limited resources and capacity of rural applicants."

Broadband deployment is one issue that illustrates how inadequate data can create a barrier for underserved communities. In WGA Policy Resolution [2020-08, Broadband Connectivity](#) (attached),

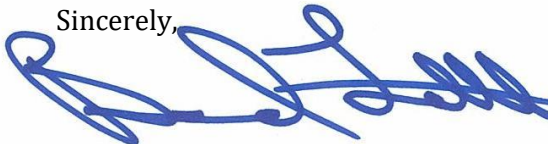
Western Governors note how important broadband connectivity is to achieving economic prosperity and diversity and recognize that “[h]igh-quality data is necessary to ensure that public broadband deployment efforts are cost effective and prioritize areas that either wholly or significantly lack access.” Without the inclusion of state data, efforts to reach traditionally underserved communities will not be as successful, and even when successful, a lack of data on the efficacy of those programs will hamper their outcomes and effectiveness.

We encourage DOC to review Western Governors’ resolutions related to data, rural development, and broadband as the DOC FY 22/26 Learning Agenda continues to be developed. Western Governors appreciate DOC’s efforts surrounding the execution of requirements under the Evidence Act, particularly those related to the Learning Agenda, and we look forward to continuing to work with DOC on this matter.

While Western Governors submit these remarks through the public notice and comment process for administrative recordkeeping purposes, the Governors maintain that this process is an insufficient channel for state-federal communication on federal actions that may affect state authority or administrative activity. Western Governors strongly urge you to engage in meaningful, substantive, and ongoing consultation with states in advance of any such decisions or related public processes. Such consultation will result in more effective, efficient, and resilient federal policy benefitting our shared constituents.

Thank you for your attention to this matter. Please let us know how Western Governors may be of assistance in this effort.

Sincerely,



Brad Little
Governor of Idaho
Chair, WGA



Jared Polis
Governor of Colorado
Vice Chair, WGA

Attachments



Policy Resolution 2021-02

Utilizing State Data in Federal Decision Making

A. **BACKGROUND**

1. State and federal agencies increasingly rely on quantitative and qualitative data to inform evidence-based policymaking, improve service delivery, more effectively manage resources, improve regulatory enforcement, and more accurately measure program performance and effectiveness.
2. States serve a critical function as a primary sources and stewards of economic, social, geospatial, scientific, technical, and other datasets that support a wide array of federal agencies and programs. State agencies often have the best available science, expertise, and other institutional data resources for purposes of federal decision-making processes.
3. States are both sovereignties and the primary administrators of numerous federal administrative and regulatory programs under a system of cooperative federalism, which distinguishes them from other non-federal sources of data.
4. State agencies also rely on timely access to current and accurate federal datasets to inform their own decision-making processes, develop more effective policy, improve service delivery and public communication, and to administer federally-delegated administrative programs.
5. In addition to federal laws and regulations, state agencies operate under their own privacy and data stewardship laws, regulations, and policies that protect personal and confidential information from public disclosure or other inappropriate use or disclosure. These protections help establish public trust that ultimately improves government effectiveness.
6. Public access to datasets that serve as the basis for federal agency actions promotes transparency and accountability in the decision-making process. Nevertheless, blanket requirements to make publicly available all data considered by federal agencies – particularly if this data consists of raw data provided by states – may infringe upon states' statutory imperatives to protect personally identifiable and otherwise sensitive information. It may also infringe upon fundamental privacy and data stewardship principles like purpose specification and data minimization. Even where there is no state legal barrier to disclosure of raw data, state agencies may maintain significant reservations about the public release of raw data.
7. The 2019 Federal Data Strategy directs federal agencies to “[e]ffectively, routinely, transparently, and appropriately use data in policy, planning, and operations to guide decision-making [and] share the data and analyses behind those decisions.” Additionally, agencies are directed to “[f]acilitate data sharing between state, local, and tribal governments and the Federal Government, where relevant and appropriate and with

proper protections, particularly for programs that are federally funded and locally administered, to enable richer analyses for more informed decision-making.”

8. Improvements in intergovernmental data sharing, stewardship, integration, protection, and utilization will require robust federal investments in a modern data infrastructure, technology, and training.

B. GOVERNORS' POLICY STATEMENT

1. State data serves a critical role in the successful implementation of a variety of federal programs and in federal agencies' fulfillment of their statutory missions and directives.
2. Subject to state laws and other requirements for data protection and transparency, federal agencies should be required to incorporate state and local data and expertise into their analysis and decision-making processes. This data should include geospatial, scientific, technical, economic, social, and other information relevant to issues the agency is trying to address.
3. Congress and the Executive Branch should look to states and state agencies as partners – rather than ordinary stakeholders – in the collection, stewardship, analysis, and use of data to inform federal decision-making processes. Federal agencies should recognize the existence and limitations of state privacy and data stewardship laws, regulations, and policies and work with states to develop strategies that encourage effective state-federal data sharing while appropriately protecting data according to state law.
4. State data – particularly non-aggregated raw data – is subject to differing levels of protection under various state laws, regulations, and policies. Western Governors encourage Congress and federal agencies to recognize the limitations on complete transparency of state data in federal decision making and to work with states to identify ways in which protected data can inform federal decision-making processes without conflicting with applicable state laws, regulations, or policies.
5. Federal agencies should consult with states – on a government-to-government basis – in the development and implementation of policies, programs, and strategies to more effectively and consistently incorporate state data into federal decision making, including implementation of applicable federal statutes and programs, as well as the Federal Data Strategy and development of annual Federal Data Strategy Action Plans.
6. Federal agencies should also consult with states to ensure that state and local partners have access to timely and reliable federal datasets for purposes of informing state and local decision-making processes.
7. Congress and the Executive Branch should support, and work with state toward, the modernization of our nation's data infrastructure and intergovernmental data-sharing and analysis capabilities. Data infrastructure should be based on best practices for data stewardship and must properly protect personal and confidential information in accordance with state and federal law. Federal agencies should consult with states to develop guidelines for intergovernmental data-sharing agreements and other protocols that include commitments to fundamental privacy and data stewardship principles like purpose specification and data minimization.

8. Federal agencies should work with state and local partners to develop uniform data standards, where appropriate, to maximize data quality and facilitate intergovernmental data use, access, sharing, and interoperability.
9. Western Governors support congressional efforts to broaden statutory exemptions under the Freedom of Information Act to protect personally identifiable and sensitive state-shared data from disclosure.
10. Western Governors urge the Executive Branch to develop uniform privacy and data stewardship policies based on best practices and uniform interpretations of federal privacy and data stewardship laws, regulations, policies, and other directives applicable to data received from states, as well as other non-federal sources.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. The Governors direct WGA staff to work with congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

This resolution will expire in December 2023. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.



Policy Resolution 2020-07 Rural Development

A. **BACKGROUND**

1. Vibrant and prosperous rural communities are essential components of western states and the nation. Rural communities in the West grow and supply food, steward natural resources, contribute disproportionately to the armed services, and are critical to state economies.
2. Rural communities in the West are richly diverse and face varying threats and opportunities. They do, however, share common characteristics, such as low population density and distance from urban centers, that create challenges for economic development.
3. Nationally, the rural population is increasing slowly after a period of decline from 2010-2017, although there is great variation in demographic trends at the county level. Many rural western counties are experiencing population growth due to net migration of retirees as well as people seeking quality of life and amenities.
4. Most rural communities have a higher proportion of older residents than urban and suburban communities. Rural communities are preparing for an anticipated wave of retirements, leading to a reduction in skilled workforce and potential closure of local businesses.
5. Western states have many of the highest per-capita veteran populations in the nation. It is estimated that approximately 25 percent of all veterans live in rural areas. These veterans have lower rates of employment compared to veterans living in urban areas and to their non-veteran rural colleagues.
6. Most rural communities have experienced slower economic and job growth than their urban counterparts and have not yet fully recovered from the 2008 recession. Many rural economies rely heavily on a few industries. This makes these communities more sensitive to trends affecting those industries and can make it more difficult to recover from disruptions. Rural communities have also been significantly affected by the COVID-19 public health threat and will suffer distress from any associated economic downturn.
7. Federal programs for rural development are spread across multiple agencies. Some agencies are responsible for rural infrastructure investments while others focus on economic development. The multiplicity of administrating entities and the lack of consistency across agencies: renders it difficult for rural stakeholders to navigate federal programs; compounds time and expense needed to apply for funding opportunities; and creates inefficiencies in the distribution of resources.
8. The vast majority of federal loan and grant programs for rural communities are targeted to physical infrastructure. Little funding exists to support development of local capacity, including strengthening community organizations, nonprofit entities, and other groups serving rural communities.

9. By offering opportunity, connectivity, and quality of life, rural communities can thrive and prosper while improving economic stability and protecting the rural character and natural resources that draw people to these areas.
10. Small businesses, including farming and ranching, are the foundation of rural economies, generating tax revenue, creating jobs, providing essential goods and services, and contributing to the culture and character of small towns. Building a successful business in a rural community is particularly challenging due to limited access to capital, available workforce and smaller customer bases. Many successful rural businesses operate on thin margins and if they close, are extremely difficult to replace.
11. High-speed internet, commonly referred to as “broadband,”¹ is the critical infrastructure of the 21st century and a modern-day necessity for individuals, businesses, schools and government. Many rural western communities lack the business case for private broadband investment due to the high cost of infrastructure and the low number of customers in potential service areas. This has left many rural businesses and citizens at a competitive disadvantage compared to urban and suburban areas with robust broadband access.
12. Transportation connectivity is critical to strengthening economies and improving quality of life. Air service is particularly important to connect remote western communities to urban hubs. Pilot shortages, infrastructure constraints, and airline consolidation have negatively impacted rural air connectivity. The airline industry has been significantly impacted by COVID-19 and rural service, which is typically the least profitable, has been reduced.

B. GOVERNORS' POLICY STATEMENT

1. Western Governors believe that strengthening social infrastructure in rural communities is the best strategy to ensure rural quality of life and prosperity. Congress and federal agencies should increase the proportion of rural economic development and infrastructure funding that goes toward capacity-building. Accordingly, Western Governors call for ample and consistent federal funding for institutions, training, and technical assistance. Robust social infrastructure is fundamental to economic and community development and maximizes the impact of state and federal resources.
2. Social infrastructure is especially critical during disasters or crises. The COVID-19 pandemic and associated economic crisis have illustrated the challenge of rapidly deploying resources to the most urgent needs. Western Governors are committed to strengthening the resilience of rural communities by helping to foster local leadership and strengthen networks and connections within and among rural communities across the West.
3. Western Governors believe that many federal programs for rural development and distressed communities include unintended barriers for rural individuals and entities that need assistance most. Western Governors urge federal agencies to work with states to: thoroughly evaluate program requirements; identify barriers for rural applicants; and revise onerous requirements in a manner that recognizes the limited resources and capacity of rural applicants. In particular, Western Governors are concerned by:

¹ The Federal Communications Commission defines fixed “broadband” as service offering minimum speeds of 25 Megabits per second (Mbps) down and 3 Mbps up.

- a. Scoring criteria that relate to numerical size and impact, such as the number of jobs created or the number of people served, which disadvantage small and isolated communities;
 - b. Requirements that applicants partner with other institutions like community colleges or foundations, which may not operate in the rural community seeking assistance;
 - c. Financial match or cash-on-hand requirements that rural organizations cannot meet; and
 - d. Overly complicated or technical applications that deter rural customers from applying.
4. Western Governors also urge federal agencies to use state data for eligibility determinations when requested by states. States often have more up-to-date and granular data for rural communities than federal sources.
5. Western Governors recognize and support efforts at the federal and state level to coordinate the deployment of resources, leverage funding, and create one-stop application processes for rural customers. Western Governors are interested in exploring strategies to expand those models to include more funders and further enhance coordination between agencies and between states and the federal government.
6. Western Governors believe that changes in our economy, labor force, and technological innovations require fundamental changes in economic development strategies. Western Governors promote rural development policies that focus on quality of life and the support of small businesses and entrepreneurs. This will develop rural communities that are attractive places to live and work while protecting their rural character, natural resource-based industries, and natural areas.
7. In the wake of disasters in rural communities, including the COVID-19 pandemic, providing small businesses with the tools and resources to survive disruption and prosper again is critical for economic recovery and social stability. The impacts of COVID-19 mitigation measures have illustrated the urgent need for working capital to stabilize rural businesses and ensure their continued viability during periods of prolonged disruption related to disasters and emergencies. The federal response to declared disasters must include sufficient and accessible business stabilization funds, including grants and long-term, forgivable loans. Congress should also examine how such funds are distributed by the Small Business Administration (SBA), U.S. Department of Agriculture Rural Development (USDA RD), and the Economic Development Administration (EDA) to ensure that adequate systems are in place to handle demand during widespread emergencies.
8. During COVID-19 response, many small lenders could not access federal funds to support their communities because they did not meet program thresholds or were unable to compete against large banks. Small lenders, including community development financial institutions (CDFIs), community banks, and credit unions, are often the only lender serving rural and tribal communities. In the ongoing response to the economic impacts of COVID-19, Western Governors encourage Congress to set aside emergency relief funds for small

lenders and consider program requirements that allow those entities to participate through a streamlined process to rapidly distribute resources while maintaining fiscal accountability.

9. Western Governors are eager to work with public universities, community colleges, and the business community to expand opportunities for young people to stay in their rural communities. There is a high demand for skilled workers in rural communities and states should work together on regional solutions that provide the appropriate training and skills for the jobs that are available in rural communities where possible. Western Governors are also committed to increasing employment among veterans and the disabled community in the rural West.
10. Western Governors encourage increased flexibility in the use of federal economic development resources (particularly EDA funds) to facilitate investments in quality of life and amenities in rural communities. Governors believe that metrics based solely on the absolute number of jobs created do not reflect the important economic benefits of investments in community assets that make rural communities attractive places to live. Nor do they account for the relative impact of job creation in less populated rural communities or areas with high unemployment or poverty rates.
11. Western Governors strongly support improving and increasing broadband connectivity in the rural West through significant federal investments in mapping, deployment, and adoption. The Governors have highlighted substantive policy recommendations in the Western Governors' Association policy resolution addressing broadband connectivity.
12. Western Governors have developed robust policies addressing the challenge of providing services and maintaining infrastructure essential to communities across the vast expanse of the rural West. These policies address broadband access, healthcare, surface transportation and water quality. Western Governors are committed to working with Congress and federal agencies to improve the efficacy of federal and state programs to support critical infrastructure in the rural West.
13. Western Governors recommend further changes in approach to supporting water and wastewater infrastructure in the West:
 - a. Funding for communities not served by water systems is critically needed. Western Governors recommend set-asides to develop innovative solutions for communities and tribes that cannot be served by traditional systems.
 - b. Western Governors are concerned about shortages of certified water system operators and request a coordinated effort to increase training opportunities through the U.S. Department of Agriculture, U.S. Environmental Protection Agency, U.S. Department of Labor and college and university programs that develop these skilled workers to ensure that existing water access in rural communities can be maintained.
14. Western Governors emphasize that air service is a necessity in many rural communities. As the airline industry recovers from the economic impacts of COVID-19, Western Governors urge Congress to consider measures to address challenges in rural air connectivity, including funding for infrastructure and service subsidies.

15. Western Governors support the use of cooperative business models to preserve rural businesses and fill community needs for childcare, homecare, main street businesses, housing, and more. Western Governors recognize the need for substantial technical assistance and education in developing new cooperative businesses and support federal funding of such efforts.
16. Western Governors are concerned by food security challenges in rural communities. Rural grocery store closures jeopardize livability and community health. Western Governors are interested in exploring strategies to ensure rural food security by strengthening local agricultural economies and developing regional approaches to rural food supply chains.
17. Housing remains a critical challenge in rural communities across the West. Western Governors are committed to working together to share best practices and effective solutions for housing preservation and development in the rural West.
18. The Cooperative Extension System, which serves every county in western states, is an important asset for rural development. Western Governors believe that Cooperative Extension can play a more meaningful role in economic development efforts in distressed communities and support continued investment in the system as it responds to the changing needs of rural communities. Western Governors are committed to maximizing the efficacy of Cooperative Extension in their states.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. The Governors direct WGA staff to work with Congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

Western Governors enact new policy resolutions and amend existing resolutions on a bi-annual basis. Please consult www.westgov.org/resolutions for the most current copy of a resolution and a list of all current WGA policy resolutions.



Policy Resolution 2020-08 Broadband Connectivity

A. BACKGROUND

1. High-speed internet, commonly referred to as “broadband,”¹ is the critical infrastructure of the 21st century and a modern-day necessity for businesses, individuals, schools and government. Many rural western communities lack the business case for private broadband investment due to the high cost of infrastructure and the low number of customers in potential service areas. This has left many rural businesses and citizens at a competitive disadvantage compared to those urban and suburban areas with robust broadband access.
2. Broadband connectivity promotes economic prosperity and diversity. Broadband connectivity is a key element of innovations in precision agriculture, telehealth, remote work and distance learning across the West.
3. Many broadband applications that promote rural, economic and community prosperity rely on speeds greater than 25/3 Mbps. This is especially true for functions that upload large amounts of data, such as telehealth, e-learning and business applications.
4. Western states have unique factors that make planning, siting and maintaining broadband infrastructure especially challenging and costly. These include vast distances between communities, challenging terrain, sparse middle mile and long-haul fiber-optic cable, and the need to permit and site infrastructure across federal, state, Tribal and private lands. Alaska, Hawaii, and the U.S. territories face particular broadband deployment challenges due to factors involving distance, cost and applicable technologies.
5. Western Governors and states are taking significant action to accelerate broadband deployment in rural communities. These actions include direct investment of state funds, reduction of regulatory hurdles, and promotion of public-private partnerships to deliver digital connectivity to unserved and underserved areas.
6. Many western states have sought to expedite broadband infrastructure deployment by adopting “Dig Once” policies, granting non-exclusive and non-discriminatory access to rights-of-way and facilitating efficient “co-location” of new broadband infrastructure on existing structures.
7. A number of federal agencies directly support rural broadband deployment projects and data collection in western states. These include the Federal Communications Commission (FCC), U.S. Department of Agriculture (USDA), National Telecommunications and Information Administration (NTIA) and Economic Development Administration.

¹ The Federal Communications Commission defines fixed “broadband” as service offering minimum speeds of 25 Megabits per second (Mbps) down and 3 Mbps up.

8. Federal land management agencies, particularly the U.S. Forest Service (USFS), Bureau of Land Management (BLM) and Bureau of Indian Affairs (BIA), play a crucial role in permitting and siting broadband infrastructure in western states.
9. Both the Department of the Interior (DOI) and USFS recently launched online mapping platforms identifying telecommunications infrastructure sites on federal lands. This information can be used to inform private and public broadband infrastructure investments.
10. High-quality data is necessary to ensure that public broadband deployment efforts are cost-effective and prioritize areas that either wholly or significantly lack access. Under its current Form 477 reporting protocols, the FCC considers a census block “served” if a single residence in the block has access to broadband. This practice overstates broadband availability in larger, rural census blocks common in western states. The FCC’s use of “maximum advertised,” not “actual,” speeds when mapping broadband coverage further distorts reporting on the service customers receive.
11. Whether or not an area is considered “served” has significant effects on its eligibility for federal broadband infrastructure support. Inaccurate or overstated data prevents businesses, local governments, and other entities from applying for and securing federal funds to assist underserved or unserved communities.
12. S.1822, the Broadband Deployment Accuracy and Technological Availability (DATA) Act (Pub. L. 116-130), was enacted in March 2020. This law requires the FCC to change the way broadband data is collected, verified, and reported. Specifically, the FCC must collect and disseminate granular broadband service availability data from wired, fixed-wireless, satellite, and mobile broadband providers. The FCC is required to establish the Broadband Serviceable Location Fabric, a dataset of geocoded information for all broadband service locations, atop which broadband maps are overlaid, to report broadband service availability data.
13. Given the number of federal agencies and programs involved in supporting rural broadband deployment, it can be challenging for small, rural providers and communities to identify and pursue appropriate deployment opportunities. Businesses, local governments, electric and telephone cooperatives, Tribes and other rural entities can also face burdens in applying for and managing federal funds. These barriers include areas being incorrectly identified as “served” on broadband coverage maps, excessive application and reporting procedures, and significant match or cash-on-hand requirements.
14. Wireless spectrum is a valuable resource that can help support innovative and cost-effective connectivity solutions in western states.
15. Internet Exchange Points (IXPs) are vital elements of Internet infrastructure that enable networks to exchange traffic with each other. IXPs help promote low-cost data transmission and improved overall local Internet performance in the areas in which they are located.

16. Electric and telephone cooperatives have invested in broadband infrastructure across the West. In certain states, these cooperatives are the entities principally providing broadband to rural communities, often at relatively low costs to their members.
17. The FCC's 2020 Broadband Deployment Report estimates that 27.7 percent of Americans residing in Tribal lands lack fixed terrestrial broadband coverage, compared to 22.3 percent of Americans in rural areas and 1.5 percent in urban areas. A 2018 Government Accountability Office (GAO) Report² asserts that the FCC overstates broadband coverage on Tribal lands.
18. Tribal Nations, the majority of which are in western states, face many barriers to the deployment of communications services. These include rural, remote and rugged terrain; areas that are not connected to a road system; minimal access to middle mile and long-haul fiber-optic cable; and difficulty in obtaining rights-of-way to deploy infrastructure across some Tribal lands. These factors can all increase the cost of installing, maintaining, and upgrading infrastructure.
19. Tribal Nations also face challenges securing funds through federal broadband deployment programs. A separate 2018 GAO Report³ included a review of four federal broadband programs (three FCC, one USDA), and found that from 2010 to 2017, less than 1 percent of funding has gone directly to Tribes or Tribally owned providers.
20. Access to wireless spectrum is another crucial issue for Tribal Nations. In February 2020, the FCC opened a priority filing window for rural Tribes to access 2.5 GHz spectrum in advance of an upcoming spectrum auction. This spectrum is well-suited to provide low-cost broadband service in rural areas.
21. Federal programs often direct broadband infrastructure funding to community anchor institutions such as schools, libraries and health centers. These anchor institutions can help leverage additional public and private investments in surrounding rural areas. Holistic funding approaches that support infrastructure deployment "to and through" community anchor institutions can help promote connectivity for students, patients and community members.
22. Western Governors appreciate USDA Rural Development's efforts to promote broadband connectivity across the rural West. USDA's many offerings, including the ReConnect Program, Community Connect Grants, and Distance Learning and Telemedicine Grants, all help promote prosperity and quality of life in western states.
23. Western Governors have provided significant feedback on the design of the ReConnect program, launched in December 2018. Notably, Western Governors recommended that the ReConnect Program, "prioritize communities that either wholly or severely lack access to broadband," and, "reward project applications that will deliver speeds that ensure rural communities can prosper now and into the future as their data transmission needs expand."

² Government Accountability Office: FCC's Data Overstate Access on Tribal Lands. September 2018.

³ Government Accountability Office: Few Partnerships Exist and the Rural Utilities Service Needs to Identify and Address Any Funding Barriers Tribes Face. September 2018.

24. The ReConnect Program contains a requirement that areas designated to receive support through the FCC's Connect America Fund Phase II (CAF-II) can only pursue ReConnect funding through the entity that is receiving CAF-II support. This restriction limits deployment of adequate broadband capability in many rural areas.
25. The COVID-19 pandemic has amplified the importance of reliable broadband connectivity as businesses, schools and health care systems have transitioned to digital platforms and practices. The transition to digital learning has been particularly difficult for many rural and low-income communities and K-12 schools due to lack of broadband connectivity at home. Western states have employed creative strategies to address student connectivity and "homework gap" issues within our communities. These efforts include using parking lots and school and transit buses to launch public wi-fi hotspots.

B. GOVERNORS' POLICY STATEMENT

1. Western Governors encourage Congress and federal agencies to recognize that the current definition of broadband – 25/3 Mbps – does not correspond with the requisite download and upload speeds necessary to support many business, education and health care applications that promote economic and community prosperity. We support efforts to adopt a higher, scalable standard that more accurately reflects modern innovations and bandwidth demands.
2. Regulations affecting broadband infrastructure permitting and siting vary by state and can create additional obstacles to private and public investment. Where possible, Western Governors should work together to minimize this barrier.
3. Western Governors recommend the FCC, USDA and other federal agencies involved in broadband deployment pursue strong partnerships with Governors and state agencies. Improved coordination related to broadband coverage data collection and verification and public investment can help ensure that public funds are directed to areas in most need of assistance.
4. Western Governors encourage the BLM, BIA and USFS to pursue strategies to prioritize reviews for broadband infrastructure permits on federal lands. We support efforts to improve permitting timelines for broadband infrastructure co-located with existing structures and other linear infrastructure, such as roads, transmission lines and pipelines. We encourage improved planning and permitting coordination between public lands management agencies, as telecommunications projects in western states can cross multiple federal lands jurisdictions. DOI and USFS's online mapping platforms identifying telecommunications infrastructure sites on their lands will be helpful tools to accomplish this goal.
5. Western Governors are encouraged that new data and mapping platforms established by the Broadband DATA Act (Pub. L. 116-130) incorporate state-level data wherever possible. State broadband offices and representatives can offer invaluable information and on-the-ground perspectives regarding broadband coverage in western states. We encourage Congress to provide the FCC with the necessary funds to implement the Act.

6. Western Governors encourage Congress and federal agencies to address application barriers for businesses, local governments, cooperatives, Tribes and other entities involved with broadband deployment in rural communities.
7. Western Governors appreciate the USDA and the FCC's efforts to promote on-farm connectivity and the growth of the precision agriculture sector. We encourage both agencies to engage with Governors' offices, state broadband representatives and state departments of agriculture as they pursue policy and program initiatives to support advanced agriculture technology development and adoption.
8. Western Governors recommend that adequate wireless spectrum be allocated to support advanced and emerging agricultural technologies.
9. Western Governors emphasize the growing importance of IXPs in promoting cost-effective, reliable broadband service in rural areas. We encourage Congress and federal agencies to promote investment in rural IXPs via applicable broadband deployment programs, legislative proposals addressing infrastructure, and other methods.
10. Western Governors encourage federal agencies to continue expanding the eligibility of electric and telephone cooperatives to pursue USDA and FCC broadband deployment program support, as cooperatives' existing infrastructure and access to rights-of-way can help promote low-cost connectivity solutions for rural communities.
11. Western Governors urge federal agencies and Congress to pursue policy, programmatic and fiscal opportunities to improve broadband connectivity on Tribal lands. This includes designing federal programs in a way that promotes partnerships between Tribes, states and various broadband providers. We recommend that federal broadband programs allocate a designated portion of their available funding to supporting projects on Tribal lands.
12. Western Governors encourage Congress and federal agencies to leverage community anchor institutions in rural communities to spur connectivity to surrounding areas. We support efforts to advance "to and through" policies that provide flexibility to incentivize additional private or public broadband infrastructure investment beyond connected community anchor institutions.
13. Western Governors encourage USDA to address the ReConnect Program eligibility criteria related to areas designated to receive satellite support through the FCC's CAF-II auction. This will enable many communities to pursue ReConnect connectivity solutions that will support increased data transmission needs into the future.
14. Western Governors request that FCC, USDA and other federal entities prioritize scalable broadband infrastructure investments that meet communities' increased bandwidth demands into the future. Funds for equipment maintenance and upgrades are essential to ensure federal broadband investments continue to provide high-quality service.
15. Western Governors request that Congress and the FCC leverage states' on-the-ground expertise by providing substantial block grant funds to address rural connectivity challenges. We support the use of state block grant funds to address general broadband

infrastructure issues and respond to connectivity challenges raised by the COVID-19 pandemic.

16. Western Governors support efforts to promote flexibility within the FCC's E-Rate Program in order to deliver home connectivity solutions for unserved and underserved students, and respond to connectivity issues associated with the COVID-19 pandemic. We encourage the FCC to support bus wi-fi and other creative efforts that seek to address the homework gap.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. The Governors direct WGA staff to work with Congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

Western Governors enact new policy resolutions and amend existing resolutions on a bi-annual basis. Please consult www.westgov.org/resolutions for the most current copy of a resolution and a list of all current WGA policy resolutions.