INTERGOVERNMENTAL ADVISORY COMMITTEE

to the

FEDERAL COMMUNICATIONS COMMISSION

ADVISORY RECOMMENDATION No: 2019-1

In the matter of the Ray Baum's Act Implementation

I. **Background:** The IAC has been asked to document and share its knowledge and expertise on the best ways to incentivize State, Local and Tribal governments to report listings of real property that can support a communications facility installation for inclusion in a Federal Real Property Profile database and the feasibility of establishing or operating a database to which State, Local and Tribal governments can voluntarily submit such information. (sec. 608 (d))

The IAC created a subcommittee to address the specific task and has developed the following challenges, barriers, and incentives for consideration:

II. **Incentives**

    a. **Grants:** Compiling the information takes staff time. It would be helpful if the federal government could establish a small grant program to essentially pay a fixed amount to cover Local, State and Tribal Government staff costs for the time and effort it takes to put the information together for submittal.

    b. **Privately Owned Sites:** The vast majority of sites available for wireless siting are privately owned. While the Commission may not compel private entities to provide this kind of information, it may be that an analysis of each community in the country could identify possible sites that industry might find helpful for

network deployment. We recognize this would be a tremendous undertaking. But it would seem to close the loop on doing a really comprehensive job of identifying possible sites for wireless network deployment to have a better grip on where private property might be used. And it would demonstrate to Local, State and Tribal Government that the federal government is serious about doing this in both a comprehensive and fair manner, so as not to suggest that the burden on getting wireless networks deployed is pushed primarily onto the backs of State, Local and Tribal Government.

c. **Funding Upgrades:** For older facilities not supported by grant funding and oversight, or beyond their useful life expectancy, an incentive could be a funded upgrade because many of these older facilities could use up to date wiring, insulation, weatherization, or even broadband connections/hardware.

d. **Info/Intel on existing deployment**: We need to have information provided identifying where communications facilities and coverage is deployed in the community and where additional deployment is needed. This will provide the type of deployment and help governmental entities gain a better understanding of areas that are unserved or underserved. A powerful incentive to share information on available local, state and Tribal facilities would be to provide local, state and Tribal entities access to information on existing deployed sites along with coverage data so that these governments could become partners with providers to fill gaps in coverage and capacity. When approached by entities seeking to deploy these networks, governments will be better equipped to work with these entities by sharing information, both on where the gaps exist, as well as the potential sites available to deploy network facilities that has become available through the national database developed through this process.

e. **Coverage – Data Map :** Display data using GIS standards to help visualize development, unserved and underserved areas in each community. State, Local and Tribal Governments can make decisions for public deployment or incentives for industry to deploy. This might give the ability to project when new development is planned and give a heads up to industry partners before the fact.

f. **Software given to Local, State and Tribal governments to track assets**: Some communities do not currently have the means to electronically track their assets. This may create some uniformity problems.

g. **Matchmaking Providers/Communities**: Shows industry where available assets are and may entice them to deploy in a community. This might promote a community's assets and contacts for easier deployment or consideration. This could look and act similar to an Economic Development package that many communities use to gain interest from developers.

h. **Inform Policy Decisions:** Policies that support asset management, grant making, pricing and bulk pricing strategies, street infrastructure, or building design may

be better informed by data provided through a real property database, especially if there is a sense of future deployment plans.

i. **Inform Deployment Issues**: Understanding the data around real property, deployments, deployment plans and opportunities may inform communities in their planning of power, fiber, conduit, permit timing, and other special considerations that look at the bigger picture of deployment and coordination in a community.

j. **RF Emissions:** Commission completion of the update to the RF emissions standards and rules would provide needed assistance to Local, State and Tribal Governments in siting of wireless facilities, and a Commission effort to complete this proceeding would provide an incentive to encourage provision of this data for the real property database. The new rules will create a valuable tool to help Local, State and Tribal government explain to citizens that these 5G networks using the higher band frequencies have been found to be safe.

k. **Creating Collaboration and Partnership:** Undertaking actions that demonstrate collaboration and partnership between the Commission and Local, State, and Tribal Governments surrounding the mutual goals of increased broadband deployment, particularly in unserved and underserved areas, including without limitation, respect for these entities traditional policy authority and autonomy regarding the safe and responsible management of the public right-of-way and the use of all forms of Federal, State. Local and Tribal property. Actions that impact these issues should be undertaken in a collaborative fashion striving for a common benefit for all involved.

III. **Potential Data Collection Options**

a. Many federal grants already require a real property reporting for the life of the property. It would be great if GSA was able to start with the data already submitted to federal agencies that are funding facilities. This puts the burden back on GSA to work their federal partners instead of the local agencies who, without grants to cover an entity's costs, will have fund this themselves.

b. The GSA should work with federal funders so that all federal grants involving potential properties that can be used for siting wireless facilities be required to report those properties and their potential availability.

c. Coordinate data gathering efforts through State Governments or State Municipal and County Leagues. This could be part of each State's Broadband Deployment effort. The key is to only ask for the necessary information so as not to overburden those who supply the data. The rollup may also help to ensure the consistency of the data.

IV. **Challenges/Barriers/Considerations:**

   a. **Security:** Publication of all public assets could make the infrastructure more vulnerable to terrorist attacks "giving the bad guys too much information."

   b. **Data Integrity:** How to insure data in the database means the same thing for all entries representing communities across the country. Also, there are concerns on the maintenance of the data, its timeliness and what to do with missing data.

   c. **Common terms/definitions:** These are very much tied to the concerns on data integrity. There must be a common lexicon of terms for consistency, understanding and interpretation of data.

   d. **Private Sector Sharing Info:** The private sector/industry chooses not to share info about their deployments, usually claiming that such information being made public will create competitive disadvantages. This can cause issues with a Local Government sharing assets especially as a picture of existing use and capacities are important. It would be easier to State, Local and Tribal Governments to facilitate approvals if they had a greater knowledge of *all* sites available, not just those owned by governmental entities.

   e. **Who maintains the data:** Maintaining the data is best done at a local level, but this becomes an issue of resources for communities. Not all communities are the same in terms of knowledge, resources, processes, and sophistication. Some can build maintenance of their data into their normal processes. Some do not even have set processes.

   f. **Who controls the data/database:** A determination of ownership and acceptable use and integrity are important. If the use is single purpose and controlled by the Federal Government, then incentive to populate and maintain the data and database will be very low. Similar to our comment regarding maintaining data, control of data at the local level will result in a greater incentive for local participation. What data will be provided, who has access to it and what it can be used for are critically important issues to address.

   g. **Data Sharing Agreements/Terms:** Somewhat tied to the control issue. How will we make the process work if there are 36,000 municipalities with individual use agreements? How will we make the process work if there is one national agreement? Are there alternatives in between? Agreements may reflect differing community values, social contracts or state laws.

   h. **Creating Collaboration and Partnership**. Achieving the incentive described in Section II.k is also a challenge. Regular and more substantive dialogue between all levels of government is necessary to overcome these hurdles.