

1 A MEMORIAL

2 REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION TO WORK
3 WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR AND ITS
4 SUBSIDIARY AGENCIES, THE UNITED STATES DEPARTMENT OF
5 AGRICULTURE AND ITS SUBSIDIARY AGENCIES, THE UNITED STATES
6 DEPARTMENT OF TRANSPORTATION AND THE FEDERAL COMMUNICATIONS
7 COMMISSION TO ESTABLISH UNIFORM REGULATIONS AND PROCEDURES
8 ACROSS FEDERAL JURISDICTIONS TO FACILITATE THE DEVELOPMENT OF
9 BROADBAND INFRASTRUCTURE AND SERVICE IN INDIAN AND NON-INDIAN
10 RURAL COMMUNITIES IN NEW MEXICO.

11
12 WHEREAS, many rural areas in New Mexico lack adequate
13 broadband service; and

14 WHEREAS, the deployment of broadband service contributes
15 significantly to a community's economic welfare and to its
16 residents' professional, academic and personal growth; and

17 WHEREAS, approximately thirty-five percent of the land
18 in New Mexico is federally managed; and

19 WHEREAS, it is the expressed intent of the state of
20 New Mexico to have greater broadband coverage accessible to
21 all of its residents whether they live in rural or urban
22 areas or in Indian or non-Indian communities; and

23 WHEREAS, on April 26, 2004, President George W. Bush
24 established a national goal for America to achieve
25 "universal, affordable access for broadband technology by the

1 year 2007"; and

2 WHEREAS, on June 14, 2012, President Barack H. Obama
3 issued an executive order that stated that "Broadband access
4 is essential to the Nation's global competitiveness in the
5 twenty-first century" and established a broadband deployment
6 on federal lands working group to address rights of way and
7 other issues that contribute to the slow deployment of
8 broadband services on tribal and Indian trust lands; and

9 WHEREAS, on January 8, 2018, President Donald J. Trump
10 issued an executive order establishing the "policy of the
11 executive branch to use all viable tools to accelerate the
12 deployment and adoption of affordable, reliable, modern
13 high-speed broadband connectivity in rural America, including
14 . . . tribal communities"; and

15 WHEREAS, many rural communities, particularly rural
16 Indian communities, in New Mexico continue to lack adequate
17 access to high-speed broadband service; and

18 WHEREAS, land use permitting regulations and
19 archaeological review requirements currently vary between the
20 federal land management agencies, including the bureau of
21 land management, the United States forest service, the bureau
22 of Indian affairs and the federal highway administration; and

23 WHEREAS, the federal requirements for regulations
24 regarding consultation with tribal governments vary widely;
25 and

1 WHEREAS, the United States department of agriculture's
2 rural utilities service and the bureau of Indian affairs
3 require consultation with and agreement from a tribal
4 government for the installation of a telecommunications tower
5 on that tribe's land; however, the federal communications
6 commission may require consultation with up to thirty
7 separate tribal governments, including every tribe in the
8 state and those that have migrated through New Mexico or have
9 traded with New Mexican tribes in the past, prior to
10 installing a telecommunications tower; and

11 WHEREAS, the lack of a coherent and efficient set of
12 regulations and rights of way procedures for the placement of
13 broadband infrastructure on federally managed lands is the
14 single greatest impediment to the deployment of broadband
15 service in many areas of New Mexico;

16 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
17 STATE OF NEW MEXICO that the New Mexico congressional
18 delegation be requested to work with the federal land
19 management and telecommunications service development
20 agencies and the bureau of Indian affairs to expedite the
21 establishment of uniform regulations and requirements to
22 facilitate the development of broadband infrastructure on and
23 across federally managed and tribal lands in New Mexico; and

24 BE IT FURTHER RESOLVED that copies of this memorial be
25 transmitted to the members of the New Mexico congressional

1 delegation, the United States secretary of the interior, the
2 United States secretary of agriculture, the United States
3 secretary of transportation, the chair of the federal
4 communications commission, the United States assistant
5 secretary – Indian affairs and the chief technology officer of
6 the United States. _____

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25