EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-73-20

WHEREAS deploying affordable and reliable broadband networks throughout California will accelerate continuous improvements in economic and workforce development, infrastructure, public safety, education, economy, and an engaged citizenry; and

WHEREAS broadband access, adoption, and training are essential components of digital equity for California's diverse populations; and

WHEREAS over 2,000,000 Californians do not have access to high-speed broadband service at benchmark speeds of 100 megabits per second download, including 50 percent of rural housing units; and

WHEREAS as of December 2018, 23 percent of California housing units, housing 8.4 million residents, do not have broadband subscriptions; and

WHEREAS despite the increasing importance of broadband for employment, health, public safety information and community connections, 34 percent of adults 60 and over do not currently use the Internet; and

WHEREAS the COVID-19 pandemic has amplified the extent to which broadband is essential for public safety, public health, and economic resilience; and

WHEREAS the COVID-19 pandemic has caused schools to shift to distance learning; and

WHEREAS telehealth greatly expands the ability of Californians to access medical, behavioral and oral health services, and has been prioritized across health systems during the COVID-19 pandemic, yet not all Californians have access to sufficient broadband to allow live video connections; and

WHEREAS effective emergency services require using broadband infrastructure to integrate data in real time from all available sources so decision makers at the local, regional, and statewide level have access to the information necessary for the protection of lives and property; and

WHEREAS local and tribal governments play a critical role in understanding the broadband needs of their communities and in infrastructure planning and permitting.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this Order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. California state agencies subject to my authority are directed to pursue a minimum broadband speed goal of 100 megabits per second download speed to guide infrastructure investments and program implementation to benefit all Californians.

2. The California Broadband Council is requested to create a new State Broadband Action Plan by December 31, 2020, and to review the plan annually thereafter. The California Department of Technology's Office of Broadband and Digital Literacy is directed to support and monitor implementation of the Plan and this Executive Order. The Plan shall incorporate the 100 megabits per second goal, and include the following elements:

    a. A roadmap to accelerate the deployment and adoption of broadband by state agencies and to support such deployment and adoption by local governments.

    b. Publicly accessible information on all federal and state funding opportunities and eligibility requirements.

    c. Provisions to maximize the inclusion of tribal lands in all broadband access and adoption opportunities developed in consultation with tribal governments.

MAPPING AND DATA

3. The California Public Utilities Commission (CPUC) is requested to lead data aggregation and mapping efforts in collaboration with the California State Transportation Agency (CalSTA) and other relevant state agencies, local and tribal governments, and regional consortia. These efforts should address:

    a. Locations without broadband access;

    b. Information on public and private broadband network infrastructure;

    c. State-owned infrastructure and rights of way;

    d. The costs of deploying various middle and last-mile network components; and

    e. Information to support the development of local broadband infrastructure deployment and digital equity plans.

4. The California Department of Technology (CDT), in collaboration with the Governor's Office of Business and Economic Development (GO-Biz) and the Department of General Services (DGS), is directed to regularly convene private-sector companies in an effort to understand and predict current and future demand for broadband, for the purpose of enabling the State to more effectively allocate resources and manage policies and

programs supporting broadband goals and continuing the State's leadership in broadband innovation.

FUNDING

5. GO-Biz is directed to identify funding opportunities for broadband deployment and adoption by:

    a. Collaborating with all cabinet-level agencies, independent departments, and independent constitutional officers to create a list of funding sources to support broadband, equipment, and digital literacy; and

    b. Coordinating efforts of state agencies to maximize federal broadband funding for California.

6. CDT, in collaboration with DGS, is directed to seek opportunities to leverage the State's contract authorities as resources to further statewide broadband access and adoption.

DEPLOYMENT

7. CalSTA and California Department of Transportation (Caltrans) are directed to work with the California Transportation Commission (CTC) to identify and incorporate the installation of conduit and/or fiber into all appropriate and feasible transportation projects along strategic corridors.

8. CPUC, in collaboration with CDT and other relevant agencies, is requested to seek opportunities to use programs under its jurisdiction to accelerate broadband deployment and to leverage utility infrastructure to increase access to existing fiber and cost-effectively deploy new fiber.

9. DGS is directed to provide an inventory of state property for possible use for broadband infrastructure based on such criteria as may be provided by the CPUC, Caltrans, and other relevant agencies, to accelerate broadband deployment.

10. The Governor's Office of Emergency Services (CalOES) is directed to coordinate with jurisdictions implementing Next-Generation 9-1-1 to expand broadband infrastructure to enhance public safety and disaster preparedness, response, recovery, and mitigation capabilities.

11. The California Department of Food and Agriculture (CDFA) is directed to identify and facilitate new broadband projects that support precision agriculture and food systems in rural communities. CDFA is also directed to work with CalOES to inventory the status of existing broadband connectivity at all fairgrounds.

12. The California Department of Housing and Community Development and the California Housing Finance Agency are directed to provide recommendations to the CPUC to increase free or low-cost broadband connectivity at all publicly subsidized housing communities for residential units.

ADOPTION

13. GO-Biz is directed to coordinate the outreach efforts of existing statewide programs and institutions to inform residents of affordable Internet service offerings, including:

    a. The CPUC is requested to develop tools for low-income individuals and social service organizations to easily identify and subscribe to affordable broadband plans;

    b. The California Emerging Technologies Fund is directed to continue promoting affordable home Internet service offers to recipients of the National School Lunch Program; and

    c. The California State Library, in consultation with local libraries, is directed to promote affordable home Internet services within their communities.

14. The California Department of Education is requested to continue leading statewide efforts to ensure that students have the computing devices and connectivity necessary for distance learning and online instruction.

15. The California Department of Aging, in partnership with CDT and CPUC, is directed to analyze the needs of people ages 60 and older for access to affordable, reliable, high-speed broadband, and to identify program and partnership opportunities to close the digital divide among older Californians.

IT IS FURTHER ORDERED that, as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 14th day of August 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State