

**FACT SHEET: 2024 FARM BILL****Legislation Would Increase Radiofrequency Radiation Emissions and Antenna Proliferation****Why does the farm bill matter for wireless policy?**

- Aims to “streamline” and fund deployments despite a lack of oversight and mounting evidence of harms<sup>1,2</sup>
- House version would exempt a wide array of wireless deployments in National Forests from environmental and historic preservation review.
- USDA broadband grant funding used to deploy wireless facilities in rural areas
- Wireless emissions from precision agriculture put farm yields and rural ecosystems at risk<sup>3</sup>

**Current status of legislation:**

- House Agriculture Committee passed a Republican-led bill<sup>4</sup>, by a vote of 33-21, with some Democrats’ support<sup>5</sup>
- Senate Agriculture Committee has released a draft summary of its bill<sup>6</sup>
- The prior farm bill expired in 2023 and Congress passed a one-year extension to the end of 2024<sup>7</sup>
- Negotiations are ongoing; now is the time to weigh in

**What is the farm bill?**

- Must-pass legislation renewed every five years governing \$600 billion in programs by USDA<sup>8</sup>
- Covers rural economic development and National Forests, in addition to agriculture (Forest Service is part of USDA, as trees are considered a crop)

**House version (HR 8467): adverse wireless impacts<sup>9</sup>**

- Section 87xx (HR 8230) - exempts a wide range of cell tower and wireless antenna deployments in National Forests from environmental review<sup>10</sup>
  - For over eight thousand miles of fiber and communication lines,<sup>11</sup> allows these corridors to be populated with cell towers and unlimited antennas while being exempted from environmental and historic preservation review<sup>12</sup>
  - Such exemptions would apply even if deployments exceed outdated 1996 human exposure limits<sup>13</sup>
- Section 6201 broadband grants program: allows rural broadband funding to be spent on wireless deployment, even if wireless does not reach minimum speed requirements<sup>14</sup>
- Section 6303 - creates precision agriculture standards to encourage deployment (same as HR 1697/ S.734)
- Section 8414 - promotes 5G as a means to prevent wildfires, despite known fire risks (same as HR 4235)<sup>15</sup>

**Senate version: adverse wireless impacts<sup>16</sup>**

- Section 6201 – allows rural broadband funding to deploy wireless networks
- Section 6502 – creates a new federal funding program to purchase Internet of Things (IoT) and related wireless equipment on farms, as part of “precision” agriculture (appears to incorporate the LAST ACRE Act S.2542/ HR 6142)<sup>17</sup>
- Section 5102 – allows conservation funding to be spent on precision agriculture
- Section 12523 - direct USDA to create precision agriculture standards to encourage deployment (same as HR 1697/ S.734)<sup>18</sup>

**Related bill on precision agriculture:**

- HR 1339 – requires FCC to determine how it can issue regulations to promote satellite use for in precision agriculture.<sup>19</sup> Passed in the House and is pending in the Senate.

<sup>1</sup> In 2021, the US Court of Appeals DC Circuit ruled against the FCC in *Environmental Health Trust et al. v. FCC* and ordered it to provide a justification as to why it decided not to update its 1996 radiofrequency exposure guidelines. The FCC has not complied with the court order. No US government agency has ever assessed the impacts of wireless radiation on plants, animals, insects, microbes, or soil health. See Attachments 2 and 3, submitted March 27, 2024 <https://ehtrust.org/wp-content/uploads/EHT-Testimony-to-Senate-Commerce-Committee-on-S3909-03272024.pdf>

For additional impacts on plants and animals, including pollinators, see <https://www.wildlifeandwireless.org/>

<sup>2</sup> See other legislative proposals to deploy wireless and federal lands

<https://ehtrust.org/wp-content/uploads/Fact-sheet-on-Federal-Lands-and-National-parks-4-19-2024.pdf>

<sup>3</sup> Id. For studies specifically addressing wireless adverse impacts on agriculture, see <https://ehtrust.org/wireless-radiofrequency-radiation-effects-on-agriculture/>

<sup>4</sup> Committee Advances Farm, Food, And National Security Act Of 2024 With Bipartisan Support

<https://agriculture.house.gov/news/documentsingle.aspx?DocumentID=7781>

<sup>5</sup> <https://docs.house.gov/meetings/AG/AG00/20240523/117371/CRPT-118-AG00-Vote006-20240523.pdf>

<sup>6</sup> [https://www.agriculture.senate.gov/imo/media/doc/rural\\_prosperity\\_and\\_food\\_security\\_section-by-section.pdf](https://www.agriculture.senate.gov/imo/media/doc/rural_prosperity_and_food_security_section-by-section.pdf)

<sup>7</sup> "Farm Bill Primer", 2/29/24, Congressional Research Service <https://crsreports.congress.gov/product/pdf/IF/IF12233>

<sup>8</sup> See note 7

<sup>9</sup> The Committee adopted a number of amendments at its markup on May 23, 2024, and has not yet released an amended and restated version of the full bill <https://www.congress.gov/bill/118th-congress/house-bill/8467>

<sup>10</sup> HR 8230 was adopted as Amendment #31 by the Committee by voice vote (unanimously) and has yet to be assigned a section number (provisionally, will be in the 8700 section, Subtitle F)

<https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=117371>

<https://www.congress.gov/bill/118th-congress/house-bill/8230>

<sup>11</sup> <https://www.fs.usda.gov/managing-land/special-uses/communications-uses>

<sup>12</sup> Exemption from National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA)

<sup>13</sup> Environmental Procedures at the FCC: A Case Study in Corporate Capture.

<https://www.fcc.gov/ecfs/document/1222046629894/7>

<sup>14</sup> The bill contains several provisions that allow funding to be used on wireless deployments. Generally speaking, wireless deployments have difficulty delivering the higher speeds of wired broadband.

- a) The bill contains a minimum speed threshold of 50 Mbps download and 25 Mbps upload (known as 50/25). Earlier bills in the House included a minimum of 100/20, which is more difficult for wireless providers to meet in sparsely populated areas. A two-tier grant system effectively allows wireless to *target* 100/50, while fiber must target 1000/250, subject to the loophole described in (d) below. (page 390)
- b) This bill limits speed increases to 50% per year, which means at least 10 years until minimum speed standards could reach 1000/1000, which is fiber's speed today (with fiber capable of at least 10-100x higher). Federal funds in rural areas could be squandered on slower speed wireless deployments, perpetuating the digital divide.
- c) USDA can only increase minimum speed standards if prior funding has already been exhausted. Fiber takes longer to deploy but lasts more than 50 years, whereas wireless deployments have only a 5-year lifespan. This provision effectively favors "band-aid" wireless deployments before USDA can increase speed thresholds. (page 390)
- d) A provision benignly titled "Network Upgrade Planning" allows an almost total exemption for wireless deployments that do not meet even the slower speeds above. Wireless deployments would be exempted from minimum speeds if there is the "*potential*" to be faster in the future, even if the technology to upgrade does not yet exist; the applicant can simply "assume" the technology might reasonably exist in the future. (page 391)

<sup>15</sup> <https://ehtrust.org/wp-content/uploads/wildfire-cell-tower-fact-sheet-EHT-2-11-24.pdf>

<sup>16</sup> See note 6 above

<sup>17</sup> The Committee has not released the text of its legislation. Its summary indicates this section appears to be S.2542/ HR 6142 <https://www.congress.gov/bill/118th-congress/senate-bill/2542/>

<sup>18</sup> <https://www.congress.gov/bill/118th-congress/house-bill/1697>

<https://www.congress.gov/bill/118th-congress/senate-bill/734>

<sup>19</sup> Passed by a vote of 409-11. <https://ehtrust.org/wp-content/uploads/Satellite-federal-bills-EHT-factsheet-11-1-23.pdf>