USDA's rural broadband plan too slow, critics say

By CHRISTOPHER WALL
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Slow speeds, bad coverage and expensive service.

These are just some of the concerns contained in nearly 300 public comments on Rural Broadband Pilot Program proposed by the U.S. Department of Agriculture, a review by the Midwest Center for Investigative Reporting found.

The proposal follows a promise to farmers by President Donald Trump in January 2017 to deliver a faster, more reliable internet to rural areas.

The President followed the promise with an executive order to spur a broadband expansion in regions of the U.S. where connectivity is spotty at best.

But little has been done since. The public comments that began in July contain at least 3,600 references to criticism of the standards, including that speeds would not be fast enough and that it focused on speed and not bandwidth.

Internet speed is crucial for any cloud-based application, including those used for bookkeeping and tracking expenses on farms or ranches.

Stilley Bryon of Chariton Valley Electric Cooperative Inc. in Albion, Iowa, commented about the need for greater minimum speeds.

"(Rural Utilities Service) should consider input from communities, consumers, large and small businesses, and local leaders on the level of service or broadband speed they deem as sufficient for their community and their satisfaction with existing service," said Bryon. "25/3 Mbps should be the absolute minimum build speed, but we feel that it should be 50/10 Mbps as a standard for broadband speeds."

In 2015, the Federal Communications Commission set the standard definition of "broadband" at 25/3 Mbps.

But the current pilot program plan calls for achieving download speeds of 10mbps and upload speeds of 1mbps.

Darrell Hoemann/Midwest Center for Investigative Reporting

Tristan Johnson, owner of Wireless Data Net, shows where his system links into the fiber at Blue Ridge High School in Farmer City, Ill. Wireless Data Net is based out of Saybrook, Ill., and serves just under 1,000 customers in 20 smaller rural towns in central Illinois. The company puts its towers on grain elevators and water towers to reach internet customers through its wireless network.

The President's announcement was welcome news to rural Americans who often pay high fees for sluggish internet connections via cellular, satellite or wireless services. Rural Americans can pay as much as $155 a month for service slower than the Federal Communications Commission classifies as "high speed internet."

But after the president's executive orders, there was little action on the issue. The program, which had a $600 million budget in 2018, was promised another $425 million in the 2019 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill.

The public comment period opened in July and closed Sept. 10.

Secretary of Agriculture Sonny Perdue, speaking at a USTelecom Broadband Investment Forum on Oct. 18, said the USDA's Rural Utilities Service is still determining how internet providers will get funding for the program in which parts of rural America.

"We are moving as expeditiously as possible," he said. "I've challenged our people to have a good, solid plan in place by the end of the year."

Yet funding for the service is still unclear.

On June 4, Mick Mulvaney, the director of the Office of Management and Budget, sent a letter to the chairman of the Senate Committee on Appropriations, calling into question several items in that bill. In that letter, Mulvaney pushed back against the request for more money for the Rural Broadband Pilot Program, pointing out that the agency hadn't yet used the money allocated in 2018.

"This funding is premature, as the Consolidated Appropriations Act, 2018 recently provided $600 million for a "pilot" grant/loan program, which USDA is still working to implement," said Mulvaney in the letter.

The Midwest Center for Investigative Reporting compiled all the comments submitted during the public comment period and analyzed them for common themes in the text of the remarks.

While nearly all the comments were in favor of the Rural Utilities Service's efforts to expand broad internet, there were 3,659 references to the idea that the pilot program's standards for speed were either not fast enough, they were focused on speed but not bandwidth, or the speed at which technology is advancing would leave those speeds obsolete in just a few years.

The pilot program tries to define what parts of the country should be eligible for expanded rural broadband coverage.

But 2,114 references mentioned words relating to who should receive coverage, words such as "unserved," ''underserved," ''density" and "eligibility."

Many spoke of living on the edge of coverage, with high speed internet available just down the road from them, but not where they lived.

Why you need to do estate planning

By PADMA NAGAPPAN
For the Capital Press

No matter what your line of work, estate planning has facets that apply to everyone, and it comes down to documenting wishes and avoiding probate and unnecessary taxes.

Too many people put it off, but in general the sooner you do it the better, advises Cale Beck, an estate planning attorney in Escondido, Calif.

Cale Beck

"I always congratulate my clients when they come in young," Beck said. "It's always the right time to do it, but it's most important when you have beneficiaries who are minors or with special needs."

Adult children can figure things out even if it's expensive through probate, but young children will need protections in place. He cautioned that a lot of times it's written so that the estate goes into children's hands when they reach age 18, but not many teens can manage big property at that age, so having a trust agreement can help, by specifying the property is to be held for them until the age of 25 or 30 by a trustee or executor.

Probate expensive

Many of Beck's clients have orchards or groves, and in California if anyone has property in excess of $50,000 in their name, probate will apply.

Probate refers to the default process to administer an estate after someone's death, when a will or other documents are presented in court and an executor is appointed to manage it. It also provides a forum for creditors to present claims for money owed to them. Distribution of assets will happen only after all proper notices have been issued, and all outstanding bills have been paid.

Probate is expensive — a $ 1 million estate can amount to attorney fees of about $23,000, an equal amount for executor costs, plus court costs of a few thousand dollars, which can add up to upwards of $50,000. It's also lengthy, and can take an average of 18 months, during which time the property is tied up. If there are disputes, it can take much longer.

Prudent estate planning can help most families work around all this, avoid it completely and ensure transition of wealth and property in a smooth manner.

Living trusts help

The best way to get around it is to establish a trust. A living will designates instructions for one's healthcare, but a living trust refers to one's property and assets, and the handling of it.

Farmers can designate themselves as the beneficiaries during their lifetime, and appoint who it will pass to afterwards, and it can be amended or revoked at any time should things change, so the terms of the trust are not set in stone.

"We take the title of the farm and transfer it to the trust with him as trustee," Beck said. "By doing a trust, we make it easier because it avoids probate, since nothing is in his name, and we can transition the property to the beneficiaries he designates without having to go to court."

Living trusts will also help in case of incapacity or a disease such as Alzheimer's, to avoid conservatorship (guardianship of an adult who loses capacity), and set up powers of attorney to make decisions. It can also help reduce capital gains taxes since the property transfers before their death.

Choosing an attorney

There are many types of attorneys, from paper mills that just churn out documents, to attorneys like Beck who specialize in estate planning. Drafting a will is not very difficult, but the challenge comes with special needs each property owner has, from multiple children, to restrictions on land use, to beneficiaries with special needs.

At the very basic level, estate planning is a will, but a will is subject to probate, so the better option is to transfer your assets to a trust, and give it whatever life span you deem appropriate. For minor children, the trust will continue through their lifetime or until they reach a specified age.

"If you have many kids but only two work with you on the farm, how do we divide an estate that is land rich and cash poor? That's when we get into creative drafting of documents, focusing on how to do this properly while keeping the peace within the family," Beck explained.

Attorneys will typically charge a flat fee, depending on whether it's a married couple, single person, and how complicated their estate is, and the number of documents to be recorded, so these flat rates can vary from state to state, and area to area.