

# Transportation, Telecom, and Infrastructure Policy Under a Second Trump Administration

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# Navigating Policy Shifts Under a Second Trump Administration

As we look ahead to a new political landscape, join us for a series of webinars that will offer insights into the key regulatory and policy changes expected under a second Trump presidency.

We'll explore how leadership transitions, executive actions, and congressional dynamics will shape the future of industries that include, among others, healthcare, financial services, energy, and trade.

Each session will feature analysis by Venable attorneys and senior policy advisors, providing actionable guidance on how businesses and organizations can navigate the evolving policy landscape. Join us for a comprehensive look at the changes coming to Washington in 2025 and beyond.

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# The FCC

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# Changes at the FCC



New Chairman Brendan Carr, who was appointed hours after Trump's inauguration on January 20. As a sitting commissioner, Carr did not require Senate confirmation. He was also formerly the FCC's general counsel.



Vocal conservative force focused on deregulation, competition, infrastructure development, and national security.



Status as independent agency uncertain. Olivia Trust nominated for GOP seat. Geoffrey Starks to leave Dem seat.



Culture shift from bipartisan five-member Commission to chairman-dominated agency with MAGA agenda. Full-throated Trump warrior on social issues.

# Chairman Carr's Policy Vision

- Economic Regulation – As expected, Carr is shifting the agency to a much lighter regulatory approach based on promoting competition and innovation instead of regulation to protect consumers, as well as a narrower view of the scope of the FCC's authority. This includes freeing up more government spectrum for commercial use. Also opened a proceeding to identify and delete thousands of “outdated” rules.
- Content Regulation – Carr aggressively is moving the FCC to a more proactive, muscular stance on media content, particularly content politically or socially biased to the left.

# Broadband Policy

- Carr has been a vocal opponent of recent FCC efforts to regulate broadband providers, particularly net neutrality regulation and broadband discrimination rules.
- Net neutrality looks like a non-issue over the next four years. Carr will likely oppose state efforts to regulate net neutrality obligations, but it remains to be seen whether that would include FCC preemption of such efforts.
- Likely to push Republican legislators to streamline and consolidate federal broadband funding programs.
- Accelerate opening spectrum for commercial use.

# Cellular-Vehicle-to-Everything (C-V2X) Technology

- November 2024 – FCC on a bipartisan and unanimous basis adopted final rules on cellular-vehicle-to-everything (C-V2X) technology.
- C-V2X is next-generation standardized cellular technology used to direct communication between vehicles, roadside infrastructure, and other road users to facilitate transportation safety and more efficient mobility.
- Codified technical parameters for C-V2X technologies' use of the upper 30 MHz of the 5.9 GHz band, including band use, message prioritization, and channel bandwidth.
- Provides a two-year sunset period for existing Dedicated Short-Range Communication (DSRC)-based technologies currently in use.
- Carr is a full-throated supporter of the Order. Unlikely to revisit.

# GPS Alternatives

- Carr has launched an inquiry to explore commercial technologies that would complement the Global Positioning System (GPS).
- GPS concern is its a single point of failure that can be vulnerable to disruption or manipulation by adversaries.
- Inquiry will focus on new PNT technologies under development by broadcasters, wireless operators, satellite constellations, and startups that use FCC-licensed spectrum.
- Seeking input on the tradeoffs among these emerging PNT offerings based on factors like performance, adoption, scale, geographic coverage, durability, cost, and commercialization.
- Seek comment on various space-based solutions for resiliency of PNT, such as medium Earth orbit (MEO) satellite systems and low Earth orbit (LEO) satellite systems.

# New Spectrum Rules for Aviation

- Proposed changes to generate new operational bandwidths to support advanced air mobility (AAM) and Uncrewed Aircraft Systems (UAS) operations.
- Create flexible licensing, operational, and technical rules to enable robust operations at various altitudes while minimizing interference.
- Proposed changes to three spectrum bands:
  - Opening the 450 MHz band for aeronautical command and control operations with a single, nationwide licensing framework.
  - Expanding radiolocation operations in the 24.45-24.65 GHz band specifically for detecting UAS.
  - Modernizing power regulations for Commercial Aviation Air-Ground Systems in the 849-851 MHz and 894-896 MHz bands used for in-flight connectivity.

# Focus on Media Content

- Carr has been very critical of social media companies, accusing them of suppressing speech.
- Congress and Carr will likely attempt to reform and limit the scope of Section 230 of the Communications Decency Act, which is key liability protection given to online platforms, social media, and website operators.
- Will push for a narrow interpretation of the immunity conferred by Section 230.
- Carr has been critical of several broadcasters' activities that he saw as favoring one political or policy position over another, so his moves to break up what he sees as the "censorship cartel" may well extend to traditional media activities as well as those by online tech companies.
- Enforcement actions against Comcast/NBC, Disney/ABC, NPR/PBS.

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# Department of Transportation

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# Agenda

## DOT Secretarial Actions

- *DOT Memo on Economic Analysis*
- *Rescinding Biden-Era Memos*
- *Funding Freeze and Path Forward*

## Priority Issue Areas

- *Emissions Regulations*
- *Safety and Tech*
- *Agency Reform*
- *Autonomous Vehicles*

## Personnel Mapping

- *Mapping Administration and Key Agencies*

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# DOT Secretarial Actions

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# DOT Secretarial Actions

## *DOT Economic Analysis Memo*

January 29, 2025 – Secretary of Transportation Sean Duffy signs an order requiring that DOT’s “grantmaking, lending, policymaking, and rulemaking activities” be supported by “rigorous cost-benefit requirements and data-driven decisions.”

The order announces several policy priorities and conditions for DOT-supported programs:

1. “User-pay models”
2. “Direct funding to local opportunity zones”
3. Preference for “communities with marriages and birth rates higher than the national average”
4. Prohibitions on vaccine and mask mandates and
5. Cooperation with federal immigration enforcement

The order highlights greenhouse gas emissions as an exemplary focus of this new review policy.

# DOT Secretarial Actions

## *Rescinding Biden Administration Memos*

On March 10, the U.S. Department of Transportation [announced](#) that it would be rescinding two Biden-era memorandums.

- The February 2023 memo superseded a December 2021 policy memo that advised states to prioritize projects focused on:
  - maintaining or repairing existing roadways
  - non-motorized options like pedestrian, bicycle, or transit access, before embarking on new expansion projects

# DOT Secretarial Actions

## *Approach to Funding*

The U.S. Department of Transportation has issued guidance to Department heads directing agencies to review competitive award selections made after January 20, 2021 for compliance with the administration's priorities regarding:

- Energy
- Climate change
- Diversity and gender
- Economic analysis

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# Priority Issue Areas

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# Overview of Priority Policy Areas

*Issue Areas Listed in Order of Potential Priority*

**01**

Emissions

**02**

Agency Reform

**03**

Permitting

**04**

Autonomous Vehicles

**05**

Safety and Technology

# Reconciliation Update

## Agency Reform

### Aviation:

- Air Traffic Control
- Pilot Training
- Safety Evaluation

### IT:

- Modernizing Systems

### Reductions and Streamlining:

- Reductions in Force
- Reviewing Research Offices and Activities
- Streamlining Redundant Offices

## Autonomous Vehicles

### Regulatory Framework:

- Exploring Agency Actions

### Pilot Program:

- AV STEP review/revisions

### Standing General Order:

- Potential Revisions

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# Personnel Update

## Mapping Key Agency Personnel

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# Department of Transportation



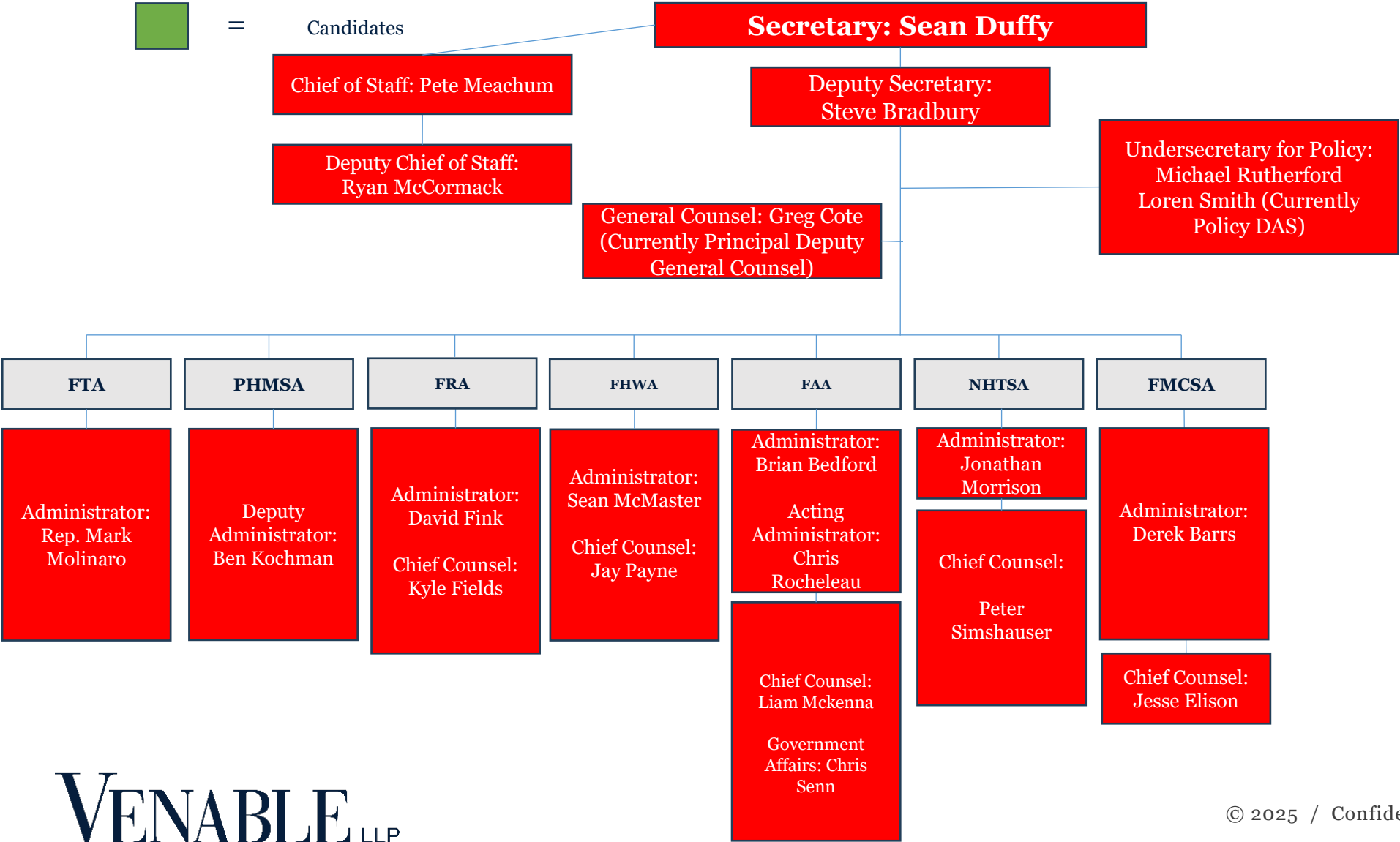
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Candidates



# Join Our Next Post-Election Webinar

## **April 9, 2024: Cybersecurity Under the Second Trump Administration: What to Watch for in 2025 | 2:00 - 3:00 p.m. ET**

As lawmakers, regulators, and industry leaders work to keep up with the evolving cybersecurity landscape, join us next Wednesday, April 9 to explore cybersecurity trends, key players driving policy decisions, and anticipated regulatory and enforcement trends. Our panelists will discuss expected shifts in federal cybersecurity strategy, emerging legislative efforts, and agency priorities on issues such as critical infrastructure protection, data security, and cyber incident reporting. The discussion will also cover international cybersecurity issues, including forthcoming laws and regulations in the UK, EU, and Japan; opportunities for regulatory alignment; and geopolitical factors that could shape the cybersecurity environment in 2025 and beyond.

### **Upcoming Webinars:**

- April 16, 2024: The First 100 Days of the Second Trump Administration: A Policy and Regulatory Retrospective | 2:00 - 3:00 p.m. ET



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