

116TH CONGRESS  
1ST SESSION

# S. 1294

To require Federal agencies with jurisdiction over broadband deployment to enter into an interagency agreement related to certain types of funding for broadband deployment.

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## IN THE SENATE OF THE UNITED STATES

MAY 2, 2019

Mr. WICKER (for himself and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To require Federal agencies with jurisdiction over broadband deployment to enter into an interagency agreement related to certain types of funding for broadband deployment.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Broadband Inter-  
5 agency Coordination Act of 2019”.

6 **SEC. 2. INTERAGENCY AGREEMENT.**

7 (a) DEFINITIONS.—In this section—

8 (1) the term “covered agency” means—

1 (A) the Federal Communications Commis-  
2 sion;

3 (B) the Department of Agriculture; and

4 (C) the National Telecommunications and  
5 Information Administration; and

6 (2) the term “high-cost programs” means—

7 (A) the program for Universal Service  
8 Support for High-Cost Areas set forth under  
9 subpart D of part 54 of title 47, Code of Fed-  
10 eral Regulations, or any successor regulations;

11 (B) the Remote Areas Fund set forth  
12 under subpart J of part 54 of title 47, Code of  
13 Federal Regulations, or any successor regula-  
14 tions;

15 (C) the Interstate Common Line Support  
16 Mechanism for Rate-of-Return Carriers set  
17 forth under subpart K of part 54 of title 47,  
18 Code of Federal Regulations, or any successor  
19 regulations;

20 (D) the Mobility Fund set forth under sub-  
21 part L of part 54 of title 47, Code of Federal  
22 Regulations, or any successor regulations; and

23 (E) the High Cost Loop Support for Rate-  
24 of-Return Carriers program set forth under

1           subpart M of part 54 of title 47, Code of Fed-  
2           eral Regulations, or any successor regulations.

3           (b) INTERAGENCY AGREEMENT.—Not later than 180  
4 days after the date of enactment of this Act, the heads  
5 of the covered agencies shall enter into an interagency  
6 agreement requiring coordination between the covered  
7 agencies for the distribution of funds for broadband de-  
8 ployment under—

9           (1) the high-cost programs;

10          (2) the programs administered by the Rural  
11 Utilities Service of the Department of Agriculture;  
12 and

13          (3) the programs administered by the National  
14 Telecommunications and Information Administra-  
15 tion.

16          (c) REQUIREMENTS.—In entering into an interagency  
17 agreement with respect to the programs described in sub-  
18 section (b), the heads of the covered agencies shall—

19          (1) require that the covered agencies share in-  
20 formation with each other about existing or planned  
21 projects that have received or will receive funds  
22 under the programs described in subsection (b) for  
23 new broadband deployment;

24          (2) provide that—

1 (A) subject to subparagraph (B), upon re-  
2 quest from another covered agency with author-  
3 ity to award or authorize any funds for new  
4 broadband deployment in a project area, a cov-  
5 ered agency shall provide the other covered  
6 agency with any information the covered agency  
7 possesses regarding, with respect to the project  
8 area—

9 (i) each entity that provides broad-  
10 band service in the area;

11 (ii) levels of broadband service pro-  
12 vided in the area, including the speed of  
13 broadband service and the technology pro-  
14 vided;

15 (iii) the geographic scope of broad-  
16 band service coverage in the area; and

17 (iv) each entity that has received or  
18 will receive funds under the programs de-  
19 scribed in subsection (b) to provide broad-  
20 band service in the area; and

21 (B) if a covered agency designates any in-  
22 formation provided to another covered agency  
23 under subparagraph (A) as confidential, the  
24 other covered agency shall protect the confiden-  
25 tiality of that information;

1           (3) designate the Federal Communications  
2 Commission as the entity primarily responsible for—

3           (A) coordinating among the covered agen-  
4 cies; and

5           (B) storing or maintaining access to all  
6 broadband deployment data;

7           (4) consider basing the distribution of funds for  
8 broadband deployment under the programs described  
9 in subsection (b) on standardized data regarding  
10 broadband coverage; and

11          (5) provide that the interagency agreement  
12 shall be updated periodically, except that the scope  
13 of the agreement with respect to the Federal Com-  
14 munications Commission may not expand beyond the  
15 high-cost programs.

16 (d) ASSESSMENT OF AGREEMENT.—

17          (1) PUBLIC COMMENT.—Not later than 1 year  
18 after entering into the interagency agreement re-  
19 quired under subsection (b), the Federal Commu-  
20 nications Commission shall seek public comment  
21 on—

22           (A) the effectiveness of the interagency  
23 agreement in facilitating efficient use of funds  
24 for broadband deployment;

1 (B) the availability of Tribal, State, and  
2 local data regarding broadband deployment and  
3 the inclusion of that data in interagency coordi-  
4 nation; and

5 (C) modifications to the interagency agree-  
6 ment that would improve the efficacy of inter-  
7 agency coordination.

8 (2) ASSESSMENT; REPORT.—Not later than 18  
9 months after the date of enactment of this Act, the  
10 Federal Communications Commission shall—

11 (A) review and assess the comments re-  
12 ceived under paragraph (1); and

13 (B) submit to the Committee on Com-  
14 merce, Science, and Transportation of the Sen-  
15 ate and the Committee on Energy and Com-  
16 merce of the House of Representatives a report  
17 detailing any findings and recommendations  
18 from the assessment conducted under subpara-  
19 graph (A).

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