

Calendar No. 311

116TH CONGRESS
1ST SESSION

S. 1294

[Report No. 116–162]

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

IN THE SENATE OF THE UNITED STATES

MAY 2, 2019

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

NOVEMBER 21, 2019

Reported by Mr. WICKER, without amendment

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. INTERAGENCY AGREEMENT.**

5 (a) DEFINITIONS.—In this section—

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

7 (A) the Federal Communications Commis-
8 sion;

9 (B) the Department of Agriculture; and

10 (C) the National Telecommunications and
11 Information Administration; and

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

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

17 (B) the Remote Areas Fund set forth
18 under subpart J of part 54 of title 47, Code of
19 Federal Regulations, or any successor regula-
20 tions;

21 (C) the Interstate Common Line Support
22 Mechanism for Rate-of-Return Carriers set
23 forth under subpart K of part 54 of title 47,
24 Code of Federal Regulations, or any successor
25 regulations;

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

4 (E) the High Cost Loop Support for Rate-
5 of-Return Carriers program set forth under
6 subpart M of part 54 of title 47, Code of Fed-
7 eral Regulations, or any successor regulations.

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

14 (1) the high-cost programs;

15 (2) the programs administered by the Rural
16 Utilities Service of the Department of Agriculture;
17 and

18 (3) the programs administered by the National
19 Telecommunications and Information Administra-
20 tion.

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

24 (1) require that the covered agencies share in-
25 formation with each other about existing or planned

1 projects that have received or will receive funds
2 under the programs described in subsection (b) for
3 new broadband deployment;

4 (2) provide that—

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

13 (i) each entity that provides broad-
14 band service in the area;

15 (ii) levels of broadband service pro-
16 vided in the area, including the speed of
17 broadband service and the technology pro-
18 vided;

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

21 (iv) each entity that has received or
22 will receive funds under the programs de-
23 scribed in subsection (b) to provide broad-
24 band service in the area; and

1 (B) if a covered agency designates any in-
2 formation provided to another covered agency
3 under subparagraph (A) as confidential, the
4 other covered agency shall protect the confiden-
5 tiality of that information;

6 (3) designate the Federal Communications
7 Commission as the entity primarily responsible for—

8 (A) coordinating among the covered agen-
9 cies; and

10 (B) storing or maintaining access to all
11 broadband deployment data;

12 (4) consider basing the distribution of funds for
13 broadband deployment under the programs described
14 in subsection (b) on standardized data regarding
15 broadband coverage; and

16 (5) provide that the interagency agreement
17 shall be updated periodically, except that the scope
18 of the agreement with respect to the Federal Com-
19 munications Commission may not expand beyond the
20 high-cost programs.

21 (d) ASSESSMENT OF AGREEMENT.—

22 (1) PUBLIC COMMENT.—Not later than 1 year
23 after entering into the interagency agreement re-
24 quired under subsection (b), the Federal Commu-

1 nications Commission shall seek public comment
2 on—

3 (A) the effectiveness of the interagency
4 agreement in facilitating efficient use of funds
5 for broadband deployment;

6 (B) the availability of Tribal, State, and
7 local data regarding broadband deployment and
8 the inclusion of that data in interagency coordi-
9 nation; and

10 (C) modifications to the interagency agree-
11 ment that would improve the efficacy of inter-
12 agency coordination.

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

16 (A) review and assess the comments re-
17 ceived under paragraph (1); and

18 (B) submit to the Committee on Com-
19 merce, Science, and Transportation of the Sen-
20 ate and the Committee on Energy and Com-
21 merce of the House of Representatives a report
22 detailing any findings and recommendations
23 from the assessment conducted under subpara-
24 graph (A).

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