

 S.L.C.

116TH CONGRESS
1ST SESSION

S. _____

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

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

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
10 broadband 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
16 broadband service coverage in the area;
17 and

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

22 (B) if a covered agency designates any in-
23 formation provided to another covered agency
24 under subparagraph (A) as confidential, the

1 other covered agency shall protect the confiden-
2 tiality of that information;

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

5 (A) coordinating among the covered agen-
6 cies; and

7 (B) storing or maintaining access to all
8 broadband deployment data;

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

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

18 (d) ASSESSMENT OF AGREEMENT.—

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

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

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

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

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

14 (A) review and assess the comments re-
15 ceived under paragraph (1); and

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