

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

(D) the Mobility Fund and 5G Fund set forth under subpart L of part 54 of title 47, Code of Federal Regulations, or any successor thereto; and

(E) the High Cost Loop Support for Rate-of-Return Carriers program set forth under subpart M of part 54 of title 47, Code of Federal Regulations, or any successor thereto.

(7) Universal Service Fund Program

The term “Universal Service Fund Program” means any program authorized under section 254 of this title to help deploy broadband.

(8) Universal service mechanism

The term “universal service mechanism” means any funding stream provided by a Universal Service Fund Program to support broadband access.

(h) Rule of construction

Nothing in this section is intended to alter or amend any provision of section 254 of this title.

(Pub. L. 116-260, div. FF, title IX, §903, Dec. 27, 2020, 134 Stat. 3210.)

REFERENCES IN TEXT

This section, referred to in subsecs. (d), (g), and (h), was in the original “this Act”, which was translated as meaning section 903 of Pub. L. 116-260, div. FF, title IX, Dec. 27, 2020, 134 Stat. 3210, to reflect the probable intent of Congress.

The Rural Electrification Act of 1936, referred to in subsec. (g)(4)(B), is act May 20, 1936, ch. 432, 49 Stat. 1363, which is classified generally to chapter 31 (§901 et seq.) of Title 7, Agriculture. Title VI of the Act is classified generally to subchapter VI (§950bb et seq.) of chapter 31 of Title 7. For complete classification of this Act to the Code, see section 901 of Title 7 and Tables.

The Food, Agriculture, Conservation, and Trade Act of 1990, referred to in subsec. (g)(4)(B), is Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3359. Chapter 1 of subtitle D of title XXIII of the Act is classified generally to chapter 31A (§950aaa et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title of 1990 Amendment note set out under section 1421 of Title 7 and Tables.

CODIFICATION

Section was enacted as part of the Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand Act, also known as the ACCESS BROADBAND Act, and not as part of the Broadband Data Improvement Act which comprises this chapter.

§ 1308. Interagency agreement

(a) Short title

This section may be cited as the “Broadband Interagency Coordination Act of 2020”.

(b) Interagency agreement

(1) Definitions

In this section—

(A) the term “covered agency” means—

(i) the Federal Communications Commission;

(ii) the Department of Agriculture; and
(iii) the National Telecommunications and Information Administration; and

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

(i) the program for Universal Service Support for High-Cost Areas set forth under subpart D of part 54 of title 47, Code of Federal Regulations, or any successor thereto;

(ii) the Rural Digital Opportunity Fund set forth under subpart J of part 54 of title 47, Code of Federal Regulations, or any successor thereto;

(iii) the Interstate Common Line Support Mechanism for Rate-of-Return Carriers set forth under subpart K of part 54 of title 47, Code of Federal Regulations, or any successor thereto;

(iv) the Mobility Fund and 5G Fund set forth under subpart L of part 54 of title 47, Code of Federal Regulations, or any successor thereto; and

(v) the High Cost Loop Support for Rate-of-Return Carriers program set forth under subpart M of part 54 of title 47, Code of Federal Regulations, or any successor thereto.

(2) Interagency agreement

Not later than 180 days after December 27, 2020, the heads of the covered agencies shall enter into an interagency agreement requiring coordination between the covered agencies for the distribution of funds for broadband deployment under—

(A) the high-cost programs;

(B) the programs administered by the Rural Utilities Service of the Department of Agriculture and the Department of Agriculture; and

(C) the programs administered by or coordinated through the National Telecommunications and Information Administration.

(3) Requirements

In entering into an interagency agreement with respect to the programs described in paragraph (2), the heads of the covered agencies shall—

(A) require that the covered agencies share information with each other about existing or planned projects that have received or will receive funds under the programs described in paragraph (2) for new broadband deployment;

(B) provide that—

(i) subject to clause (ii), upon request from another covered agency with authority to award or authorize any funds for new broadband deployment in a project area, a covered agency shall provide the other covered agency with any information the covered agency possesses regarding, with respect to the project area—

(I) each entity that provides broadband service in the area;

(II) levels of broadband service provided in the area, including the speed of broadband service and the technology provided;

(III) the geographic scope of broadband service coverage in the area; and

(IV) each entity that has received or will receive funds under the programs described in paragraph (2) to provide broadband service in the area; and

(ii) if a covered agency designates any information provided to another covered agency under clause (i) as confidential, the other covered agency shall protect the confidentiality of that information;

(C) consider basing the distribution of funds for broadband deployment under the programs described in paragraph (2) on standardized data regarding broadband coverage; and

(D) provide that the interagency agreement shall be updated periodically, except that the scope of the agreement with respect to the Federal Communications Commission may not expand beyond the high-cost programs.

(4) Assessment of agreement

(A) Public comment

Not later than 1 year after entering into the interagency agreement required under paragraph (2), the Federal Communications Commission shall seek public comment on—

(i) the effectiveness of the interagency agreement in facilitating efficient use of funds for broadband deployment;

(ii) the availability of Tribal, State, and local data regarding broadband deployment and the inclusion of that data in interagency coordination; and

(iii) modifications to the interagency agreement that would improve the efficacy of interagency coordination.

(B) Assessment; report

Not later than 18 months after December 27, 2020, the Federal Communications Commission shall—

(i) review and assess the comments received under subparagraph (A); and

(ii) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report detailing any findings and recommendations from the assessment conducted under clause (i).

(Pub. L. 116-260, div. FF, title IX, §904, Dec. 27, 2020, 134 Stat. 3214.)

REFERENCES IN TEXT

This section, referred to in subsec. (b)(1), was in the original “this Act”, which was translated as meaning section 904 of Pub. L. 116-260, div. FF, title IX, Dec. 27, 2020, 134 Stat. 3214, to reflect the probable intent of Congress.

CODIFICATION

Section was enacted as part of the Broadband Interagency Coordination Act of 2020 and as part the Consolidated Appropriations Act, 2021, and not as part of the Broadband Data Improvement Act which comprises this chapter.

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§ 1401. Definitions

In this chapter:

(1) 700 MHz band

The term “700 MHz band” means the portion of the electromagnetic spectrum between the frequencies from 698 megahertz to 806 megahertz.

(2) 700 MHz D block spectrum

The term “700 MHz D block spectrum” means the portion of the electromagnetic