

**INTERAGENCY AGREEMENT
BETWEEN THE
FEDERAL COMMUNICATIONS COMMISSION, U.S. DEPARTMENT OF
AGRICULTURE, AND THE NATIONAL TELECOMMUNICATIONS AND
INFORMATION ADMINISTRATION OF THE
U.S. DEPARTMENT OF COMMERCE**

This Interagency Agreement (Agreement) sets forth the agreement between the **Federal Communications Commission (FCC)**, the **United States Department of Agriculture (USDA)**, and the **National Telecommunications and Information Administration (NTIA)**, an agency of the U.S. Department of Commerce (each hereinafter a “Covered Agency” and all collectively the “Covered Agencies”), to require coordination among the Covered Agencies for the distribution of funds for broadband deployment under the FCC’s High-Cost Programs, the programs administered by the Rural Utilities Service of USDA, and the programs administered by or coordinated through NTIA.

For purposes of this Agreement, 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.

This Agreement is required to be entered into by the Covered Agencies not later than June 25, 2021 by section 904(b)(2) of Division FF of the Consolidated Appropriations Act of 2021, Pub. L. No. 116-260, 134 Stat. 1182 (December 27, 2020).

NOW, THEREFORE, the Covered Agencies hereby agree as follows:

SECTION 1. The Covered Agencies shall share information with each other about existing or planned projects that have received or will receive funds for new broadband deployment under the FCC’s High-Cost Programs, the programs administered by the Rural Utilities Service of USDA, and the programs administered by or coordinated through NTIA.

SECTION 2. 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 the following information the Covered Agency possesses regarding, with respect to the project area:

- a) each entity that provides broadband service in the area;
- b) levels of broadband service provided in the area, including the speed of broadband service and the technology provided;
- c) the geographic scope of broadband service coverage in the area; and

- d) each entity that has received or will receive funds to provide broadband service in the area under the FCC's High-Cost Programs, the programs administered by the Rural Utilities Service of USDA, and the programs administered by or coordinated through NTIA.

SECTION 3. If a Covered Agency designates any information provided to another Covered Agency as confidential, the other Covered Agency shall protect the confidentiality of that information as required by 44 U.S.C. § 3510 and section 904(b)(3)(B)(ii) of Division FF of the Consolidated Appropriations Act of 2021.

SECTION 4. The Covered Agencies shall consider basing the distribution of funds for broadband deployment under the FCC's High-Cost Programs, the programs administered by the Rural Utilities Service of USDA, and the programs administered by or coordinated through NTIA on standardized data regarding broadband coverage.

SECTION 5. This Agreement does not call for the transfer of funds among the Covered Agencies. This Agreement shall not be construed to obligate any particular expenditure or commitment of funds and/or resources and is subject to appropriations.

SECTION 6. The Covered Agency contacts for this Agreement are:

For FCC:

Kirk Burgee, Chief of Staff, Wireline Competition Bureau,
Kirk.Burgee@fcc.gov, (202) 418-1599

For USDA:

Kenneth Kuchno, Deputy Assistant Administrator, Policy and Outreach,
Kenneth.Kuchno@usda.gov, (202) 690-4673

For NTIA:

Doug Kinkoph, Associate Administrator, Office of Telecommunications and
Information Administration (OTIA),
DKinkoph@ntia.gov, (202) 482-4186

The Covered Agencies agree that if there is a change regarding the contact information in this section, the Covered Agency making the change will notify the other Covered Agencies in writing of such change.

SECTION 7. This Agreement shall become effective when signed by the Covered Agencies.

SECTION 8. This Agreement may be amended at any time by mutual consent of the Covered Agencies, except that the scope of the Agreement with respect to the FCC may not expand beyond the High-Cost Programs. Such amendment shall be in writing clearly setting forth the terms and signed by the Covered Agencies.

SECTION 9. This Agreement may be terminated by the Covered Agencies upon mutual consent of all Covered Agencies, but no earlier than two (2) years from the effective date of the Agreement. Any Covered Agency may request termination by providing written notice to the other Covered Agencies.

SECTION 10. This Agreement may be executed in counterparts. Each counterpart may bear a penned or digital signature, which signature of or on behalf of the Covered Agency can be seen, and may be transmitted by mail, by hand, or electronically. Each counterpart shall be regarded as an original and all of them taken together shall constitute one and the same agreement.

APPROVED BY:

Federal Communications Commission:



Hon. Jessica Rosenworcel,
Acting Chairwoman

6/16/2021
Date

U.S. Department of Agriculture



Hon. Tom Vilsack,
U.S. Secretary of Agriculture

June 25, 2021
Date

The National Telecommunications and Information Administration:



Evelyn Remaley,
Acting Assistant Secretary of Commerce
for Communications and Information

6-23-2021
Date