



KIM REYNOLDS
GOVERNOR

OFFICE OF THE GOVERNOR

ADAM GREGG
LT GOVERNOR

June 1, 2023

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit Senate File 388, an Act relating to conflicts between federal funding and the office of the chief information officer.

The Office of Chief Information Officer (OCIO) is responsible for coordinating and improving broadband services across Iowa. The State continues to make significant investment toward high-speed broadband availability, but the OCIO has also leveraged federal funds to expand access to unserved or underserved areas of rural Iowa. The OCIO currently has the flexibility to navigate this regulatory environment through its authority to set ambitious state standards, such as a high upload–download speed, and its ability to temporarily waive those standards if federal funding requires a lower standard.

Senate File 388 forfeits that flexibility and authority, instead requiring the OCIO to use the often-lower standards defined by the federal government. Senate File 388 also limits the OCIO's role to those areas expressly delegated by the federal government.

I recognize that Senate File 388 passed both chambers unanimously with an understanding that the bill does not significantly change the status quo—for now. But looking forward, the State of Iowa should not be tethered to a federal standard when I am confident our state can chart its own course. For these reasons, I respectfully disapprove of Senate File 388 in its entirety and it is vetoed in whole.

Sincerely,

A handwritten signature in black ink that reads "Kim Reynolds".

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



Senate File 388

AN ACT

RELATING TO CONFLICTS BETWEEN FEDERAL FUNDING AND THE OFFICE OF
THE CHIEF INFORMATION OFFICER.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 8B.7, subsection 1, Code 2023, is amended to read as follows:

1. The provisions of this chapter and rules adopted pursuant to this chapter shall, with respect to federal funds, be solely procedural or address only subjects expressly delegated to the state. Eligibility and allocation of federal funds shall be governed by federal definitions, criteria, scoring, and rules. Neither the provisions of this chapter nor rules adopted pursuant to this chapter shall apply in any situation where such provision or rule is in conflict with a governing federal regulation or where the provision or rule would jeopardize the receipt of federal funds, or where the provision or rule

would modify the federal definition or criteria for eligibility regarding the allocation of federal funds.



AMY SINCLAIR
President of the Senate



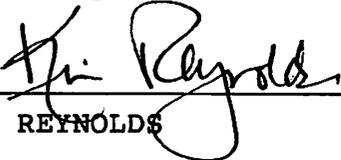
PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 388, Ninetieth General Assembly.



W. CHARLES SMITHSON
Secretary of the Senate

~~Approved~~ *Disapproved* June 1st, 2023



KIM REYNOLDS
Governor