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January 22, 2018

The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Pai:

I write to urge you not to act on recommendations from the Broadband Deployment Advisory Committee (BDAC) until the group reaches a consensus on how best to spur broadband deployment and define the Commission's goal of bringing "reasonably comparable" broadband service to rural America.¹ Improving broadband access for the millions of Americans who lack adequate service is critical and the Federal Communications Commission (FCC) would be better suited to address this issue with a unified Committee position.

Broadband is a vital resource for all Americans, and the FCC must do everything it can to speed the deployment of broadband in unserved and underserved parts of the country. Indeed, the principle of universal service is a cornerstone of the Communications Act.² I am concerned, nevertheless, that without consensus among the experts that comprise the BDAC, the FCC will fall short of its goals.

In particular, I was disturbed by reports that BDAC leadership suggested that the BDAC move ahead without reaching a consensus of working group members.³ The value of an advisory group is in its ability to draw experts with disparate perspectives to give the Commission the best advice possible. When recent Commission advisory committees have issued recommendations prematurely and without consensus among their experts, subsequent actions have created unnecessary confusion and division on policy matters. In short, for the BDAC to be a successful policy instrument, it must function as a consensus body.

¹ 47 U.S.C. § 254(b)(3).

² See generally 47 U.S.C. § 254.

³ *BDAC Approves First Recommendations, But Disagreements Surface*, Communications Daily, (Nov. 13, 2017) ("We don't have unanimous consent . . . and I don't anticipate that we will, and that's fine. What we hope we will be able to provide you in January will be something that a Majority of our members have approved.").

In addition, I reaffirm my request that the Commission use the BDAC as a tool to help define the FCC's statutory mission to provide "reasonably comparable" service for rural Americans. When you originally chartered the BDAC, I wrote to your office to support your effort and to request that you task the BDAC with defining what it will mean to have successfully deployed broadband in rural America.⁴ I still believe the BDAC should undertake and complete that important work.

For those reasons, I request that you require the BDAC to continue its work until it finds consensus and until it defines what it will mean to have reasonably comparable broadband service in rural areas. I appreciate your assistance with this inquiry. Should you have any questions regarding this request, please contact Patrick Satalin in my Office at (202) 225-4115.

Sincerely,



Peter Welch

Member of Congress

Cc: The Honorable Mignon Clyburn, Commissioner, Federal Communications Commission
The Honorable Michael O'Rielly, Commissioner, Federal Communications Commission
The Honorable Brendan Carr, Commissioner, Federal Communications Commission
The Honorable Jessica Rosenworcel, Commissioner, Federal Communications Commission

⁴ Letter from Peter Welch, Member of Congress, et. al., to Ajit Pai, Chairman, Federal Communications Commission (Feb. 7, 2017) ("We therefore urge you to task the Broadband Deployment Advisory Committee to . . . define successful broadband deployment in rural American before moving on to more detailed policies").



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 14, 2018

The Honorable Peter Welch
U.S. House of Representatives
2303 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Welch:

Thank you for your letter expressing concern about Commission action on Broadband Deployment Advisory Committee (BDAC) recommendations. I share your view that broadband is a vital resource for all Americans, and the FCC must do everything it can to speed the deployment of broadband in underserved parts of the country.

I've long said that every American who wants to participate in the digital economy should be able to do so. And the plain reality is that if you live in rural America, you are much less likely to have high-speed Internet access than if you live in a city. If you live in a low-income neighborhood, you are less likely to have high-speed Internet access than if you live in a wealthier area. To change that, we need massive investment to construct, expand, and improve wired and wireless networks. And to spur that investment, in turn, the FCC needs to remove outdated and unnecessary regulatory barriers.

I hope you agree with me that rural America has waited long enough. It's been eight years since the adoption of the National Broadband Plan, and too many millions of Americans are still awaiting its promise. That's why the Commission has moved forward over the last year to cut the redtape that has unnecessarily delayed the deployment of broadband throughout America. That's why at my first open meeting as FCC Chairman, I announced the establishment of the BDAC. The work of the BDAC is a crucial component of our efforts to close the digital divide for the many Americans that lack sufficient high-speed Internet access—and one we must consider to pursue vigorously.

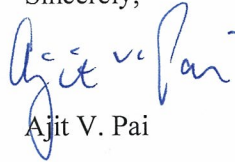
I have been so pleased with the progress of the BDAC over the course the year, resulting in a number of final recommendations in January—all approved by at least a super-majority of members, with many approved unanimously. I should note that approved recommendations, along with materials from the meetings and proposed recommendations, are posted on the Commission's website, and interested parties are welcome to provide input to the BDAC in the electronic docket established for that purpose, GN Docket No. 17-83. I look forward to hearing your views, and the views of those not serving on the BDAC, on these particular recommendations as the Commission continues its work to close the digital divide.

Finally, you note the need to ensure reasonably comparable service in rural America. I agree. That's one reason why the Commission maintained the 25 Mbps/3 Mbps benchmark for high-speed fixed broadband service and concluded that mobile broadband is not a full substitute

for fixed service. And that's why I asked my colleagues earlier this year to support my push for an additional \$500 million in universal service funding to help bridge the digital divide in areas served by small rural carriers and cooperatives.

I look forward to working with you and your staff as we pursue the common goal to extend digital opportunity to every American. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ajit V. Pai". The signature is fluid and cursive, with the first name "Ajit" and last name "Pai" being the most prominent parts.

Ajit V. Pai