

Congress of the United States
Washington, DC 20515

July 9, 2019

Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Honorable Michael O'Reilly
Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Honorable Brendan Carr
Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Honorable Jessica Rosenworcel
Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Honorable Geoffrey Starks
Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Pai, Commissioner O'Reilly, Commissioner Carr, Commissioner Rosenworcel and Commissioner Starks:

We write to express our concerns with the proposed rule "Universal Service Contribution Methodology" and urge you not to establish an overall cap for the Universal Service Fund (USF) or combine the cap of any USF programs, consistent with the recent unanimous vote in the House of Representatives.

The Federal Communications Commission (FCC) is charged with advancing access to voice and broadband services. 47 U.S.C. §254(b) requires the FCC to ensure "[c]onsumers in all regions of the Nation, including low-income consumers and those in rural, insular, and high cost areas [...] have access to telecommunications and information services" and to ensure that schools and health care providers have access to advanced telecommunications services. To that end, the FCC established the four USF programs: the Connect America Fund; the Low Income Support program (also known as Lifeline); the Rural Health Care Support program; and the Schools and Libraries program (also known as E-Rate). By design, each serves a distinct and critical purpose, which would be undermined by imposing an overall or sub-cap on the USF.

Imposing an overall cap on the USF would unnecessarily cut funding to USF programs. As you acknowledge in your Notice of Proposed Rulemaking, the programs currently operate with caps or targeted budgets. Furthermore, USF funds are collected based on demand, meaning that when

demand declines, a program may come in under its cap or budget. Imposing a cap would restrict access to these funds when demand increases, undermining the purpose of the USF.

Furthermore, we believe it is detrimental to the goal of universal service to put the various USF programs in direct competition for USF funds. The proposed rulemaking states that you seek to “promote a robust debate on the relative effectiveness of the programs.” Each USF program addresses an important, but different, principle of universal service as described in 47 USC §254. Their “relative effectiveness” cannot be easily compared because each program serves its own purpose and group of consumers. The USF programs were not intended to compete against each other for funding and pitting them against each other for funding does nothing to advance the goal of achieving universal service.

For all these reasons, the House of Representatives on June 25, 2019 unanimously adopted House Amendment 483 to H.R. 3351, the FY2020 Financial Services and General Government Appropriations Act that would prohibit implementation of this proposed rule. We urge you not impose a cap on USF or place any USF programs under a shared cap. Thank you for your attention in this matter.

Sincerely,



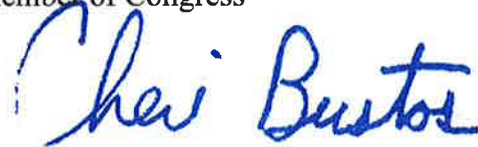
Mark Pocan
Member of Congress



Cindy Axne
Member of Congress



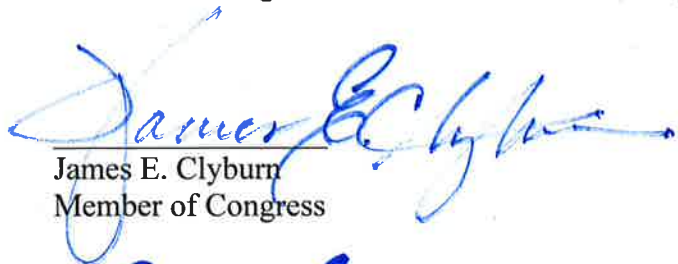
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Member of Congress




Cheri Bustos
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G. K. Butterfield
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James E. Clyburn
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TJ Cox
Member of Congress



Angie Craig
Member of Congress



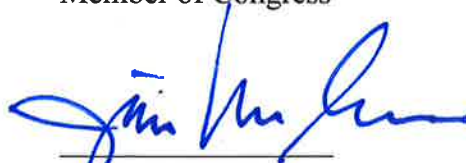
Ro Khanna
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Ron Kind
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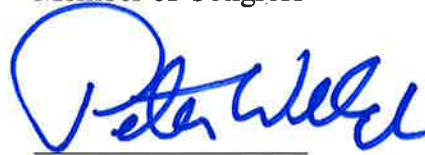
Ann Kirkpatrick
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James P. McGovern
Member of Congress



Ilhan Omar
Member of Congress



Peter Welch
Member of Congress