



July 23, 2018

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20554

Dear Chairman Pai,

Last June, the Federal Communications Commission took action in the *Broadnet Declaratory Ruling* to ensure that citizens can hear directly from federal government officials about official government business regardless of whether they are contacted on a mobile or landline telephone. By declaring that the federal government is not a “person” for purposes of the Telephone Consumer Protection Act (TCPA) and that calls made by or on behalf of the federal government are exempt from the TCPA, the FCC took an important step to allow federal government officials to use modern technology to communicate with all citizens. As the FCC again considers these issues, the FCC should act promptly to extend such relief to state and local governments.

As Commissioner Michael O’Rielly has indicated, “[t]he same justifications used in the [Broadnet Declaratory Ruling] to exempt federal government calls would apply to state and local government calls,” noting that “[s]tate and local governments may also be budget constrained and have equally valid and urgent reasons to contact their citizens.”<sup>1</sup> Indeed, actions by state and, in particular, local governments directly impact constituents in their daily lives. It is therefore critical to ensure that state and local government officials can also use effective and efficient methods, such as telephone town halls, to communicate with all citizens about important policy decisions and issues of public concern. Local and state government entities may, for instance, contact residents in order to:

- Address local public health issues, such as the opioid epidemic, and alert citizens about resources available to them to address these issues.
- Answer questions and provide information about local construction plans that will impact their daily commutes and/or infrastructure projects or rate changes that will impact those commutes in the future.

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<sup>1</sup> Statement of Commissioner Michael O’Rielly to *Broadnet Declaratory Ruling*.

- Seek input on major changes to local education policy.
- Solicit input on major zoning and development decisions.

Government at all levels – federal, state, and local – must be able to communicate with citizens about important civic issues. And government must be able to communicate with all citizens – including those without wireline phones – in the most effective and efficient manner possible. The FCC therefore should act promptly to extend the relief provided in the *Broadnet Declaratory Ruling* to all government entities.

Respectfully,

A handwritten signature in black ink, appearing to read "Joe Scarnati". The signature is fluid and cursive, with a large initial "J" and a stylized "S".

Joseph B. Scarnati, III  
President Pro Tempore  
Senate of Pennsylvania