

Congress of the United States
Washington, DC 20515

810

October 5, 2017

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

Dear Chairman Pai:

We write in response to the Federal Communications Commission's (FCC's) request for comment in the recent Notice of Inquiry (NOI) "Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion" (GN Docket No. 17-199). We are gravely concerned that the policies contemplated by this NOI could undo significant progress and investment by the FCC and Congress to ensure that all Americans have access to reliable, high-speed broadband. Specifically, we strongly oppose any proposal to lower speeds from the current standard of 25 Mbps download/3 Mbps upload to 10 Mbps download/1 Mbps or to find mobile broadband as a universally appropriate replacement for fixed, home broadband.

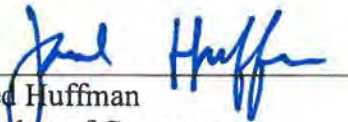

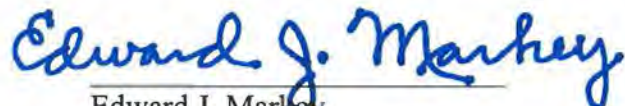

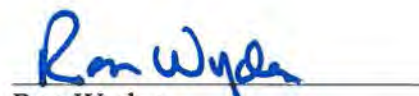

As you well know, reliable, high-speed broadband is essential to economic development, public safety, and a vibrant quality of life. Ensuring every home, school, and business has adequate access to the Internet is essential to unlocking the innovative potential of all Americans. However, as the annual section 706 broadband report demonstrates, our nation's rural and tribal communities continue to lag behind urban America and much of the developed world when it comes to broadband access, speed, and reliability. As the FCC has noted, thirty-nine percent of rural America and forty-one percent of those on Tribal land lack access to advanced broadband. The FCC has a statutory obligation to take steps to deploy broadband that supports high-quality telecommunications capability to all Americans in a reasonable and timely manner. The policy changes contemplated by this NOI would run counter to the intent of Congress by attempting to fulfill that statutory obligation through definitional changes, rather than concrete action to connect more Americans online. Simply moving the goalposts is not a policy solution, and weakening the definition of high speed internet is a disservice to the rural and tribal communities the FCC has an obligation to serve.

In particular, we are concerned with any effort to weaken the FCC's current policy finding that every American should have access to broadband services with speeds of at least 25 Mbps download/3 Mbps upload. Finding instead that only mobile service of 10 Mbps download/1 Mbps upload is sufficient would result in significantly slower and less reliable Internet access for millions of Americans, particularly those with low incomes or those living in rural and tribal communities. At this time, mobile access at 10 Mbps download/1 Mbps upload is not a reasonable replacement for fixed advanced broadband at home. This fact is well known to any child seeking to complete a homework assignment, small business owner hoping to develop an Internet presence, or individual completing an online job application or communicating with their doctor.

We strongly urge you to maintain the highest connectivity standards, which are critical to the FCC's statutory obligation to support high-quality telecommunications capability to all Americans.

Thank you for your consideration of these comments.

Sincerely,


Jared Huffman
Member of Congress
Al Franken
United States Senator
Mark Pocan
Member of Congress
Edward J. Markey
United States Senator
Richard M. Nolan
Member of Congress
Brian Schatz
United States Senator
Keith Ellison
Member of Congress
Ron Wyden
United States Senator
Cheri Bustos
Member of Congress
Chris Van Hollen
United States Senator



David N. Cicilline
Member of Congress



Maggie Hassan
United States Senator



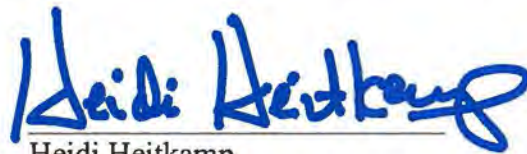
Earl Blumenauer
Member of Congress



Richard Blumenthal
United States Senator



Ro Khanna
Member of Congress



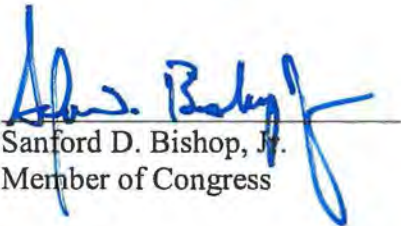
Heidi Heitkamp
United States Senator



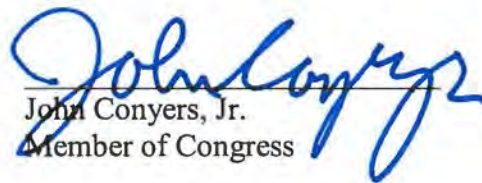
Jared Polis
Member of Congress



Kirsten Gillibrand
United States Senator



Sanford D. Bishop, Jr.
Member of Congress



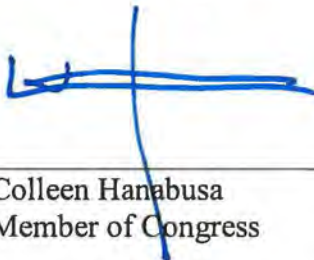
John Conyers, Jr.
Member of Congress



Mark DeSaulnier
Member of Congress



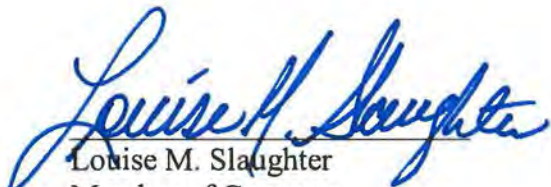
Mike Thompson
Member of Congress

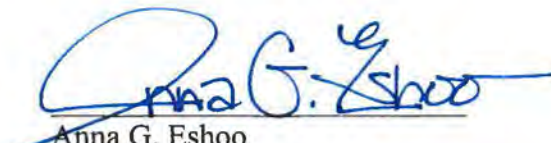


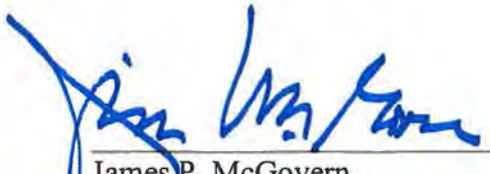
Colleen Hanabusa
Member of Congress




Raúl M. Grijalva
Member of Congress


Louise M. Slaughter
Member of Congress


Anna G. Eshoo
Member of Congress

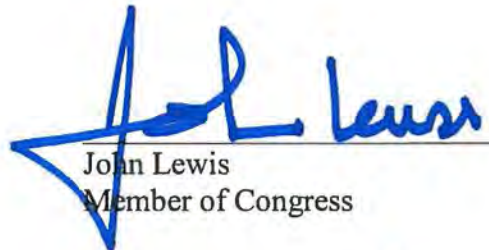

James P. McGovern
Member of Congress



Paul Tonko
Member of Congress


Peter Welch
Member of Congress

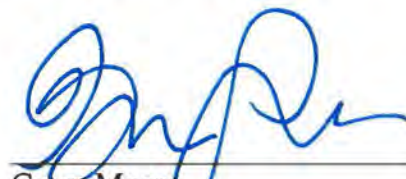

Seth Moulton
Member of Congress

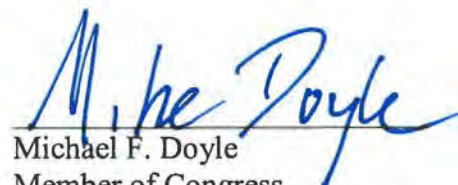

Chellie Pingree
Member of Congress


John Lewis
Member of Congress


Betty McCollum
Member of Congress

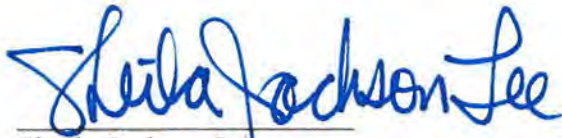

Jose E. Serrano
Member of Congress


Gwen Moore
Member of Congress

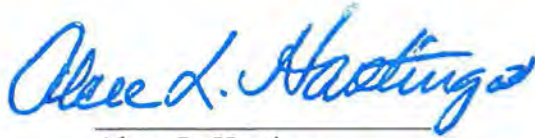

Michael F. Doyle
Member of Congress


John Garamendi
Member of Congress


Tulsi Gabbard
Member of Congress



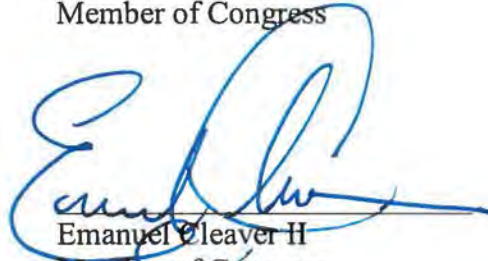
Sheila Jackson Lee
Member of Congress



Alcee L. Hastings
Member of Congress



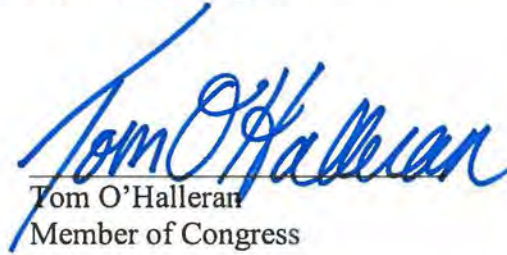
Darren Soto
Member of Congress



Emanuel Cleaver II
Member of Congress



Timothy J. Walz
Member of Congress



Tom O'Halleran
Member of Congress



John A. Yarmuth
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Sanford D. Bishop
U.S. House of Representatives
2407 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Bishop:

Thank you for your letter regarding the Thirteenth Section 706 Report Notice of Inquiry (Section 706 NOI). Your views are very important and will be entered into the record of the proceeding and considered as part of the Commission's review.

On August 8, 2017, the Commission adopted the Section 706 NOI, seeking public input on the most effective ways to complete the Commission's statutorily mandated task of determining whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion. With respect to claims that the Section 706 NOI proposes to lower the current speed benchmark of 25 Mbps download and 3 Mbps upload (25 Mbps/3 Mbps) for fixed broadband, the item clearly proposes to *maintain* the 25 Mbps/3 Mbps standard for fixed broadband. The NOI also seeks comment on whether we should consider modifying that benchmark, and also asks if there are additional benchmarks we should include, such as data allowances, latency, or consistency of service. In addition, the Section 706 NOI seeks comment on how the inquiry can include an evaluation of both fixed and mobile services, and on a number of alternative approaches for how to incorporate the availability of mobile services in the Commission's evaluation under the statutory standard.

Moreover, while it is the policy of the Commission that extensions shall not be routinely granted, on September 5, 2017, the Wireline Competition Bureau and Wireless Telecommunications Bureau granted an extension for filing comments and reply comments in response to the Section 706 NOI. The Order found that an extension of the comment and reply comment deadline was appropriate in this case in order to allow interested parties additional time to analyze the technical, legal, and policy issues raised in this proceeding. However, given Section 706's congressionally mandated 180-day timeframe for completing the inquiry, a longer extension could have inhibited the Commission's ability to fully consider the record and meet its statutory obligations. Comments were due on September 21, 2017 and reply comments were by October 6, 2017. I can assure you that we will take into consideration the issues and concerns presented by all stakeholders in this important proceeding.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
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October 24, 2017

The Honorable Earl Blumenauer
U.S. House of Representatives
1111 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Blumenauer:

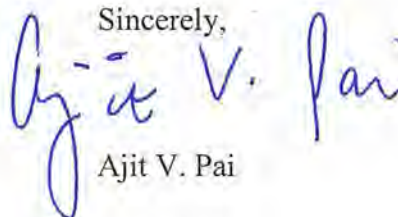
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October 24, 2017

The Honorable Richard Blumenthal
United States Senate
706 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Blumenthal:

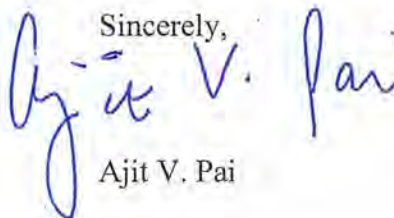
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October 24, 2017

The Honorable Cheri Bustos
U.S. House of Representatives
1009 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman Bustos:

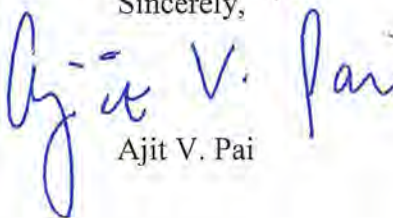
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WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable David Cicilline
U.S. House of Representatives
2244 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Cicilline:

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FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF
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October 24, 2017

The Honorable Emanuel Cleaver
U.S. House of Representatives
2335 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Cleaver:

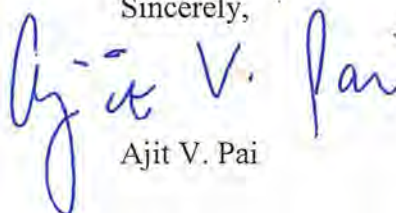
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FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable John Conyers
U.S. House of Representatives
2426 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Conyers:

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October 24, 2017

The Honorable Mark DeSaulnier
U.S. House of Representatives
115 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman DeSaulnier:

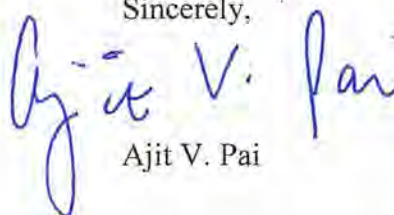
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Mike Doyle
U.S. House of Representatives
239 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Doyle:

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Washington, D.C. 20515

Dear Congressman Ellison:

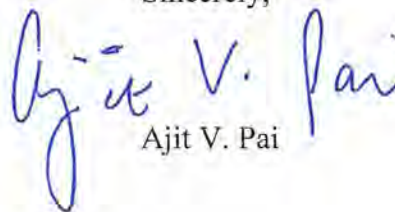
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I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,



Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Anna G. Eshoo
U.S. House of Representatives
241 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Eshoo:

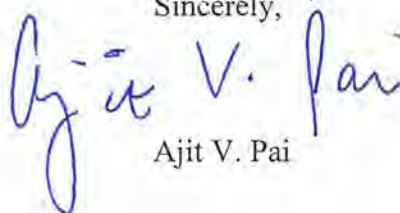
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Al Franken
United States Senate
309 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Franken:

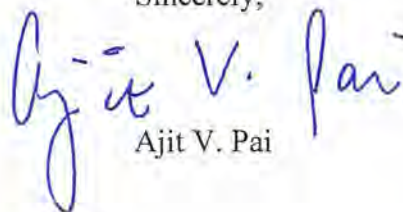
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Tulsi Gabbard
U.S. House of Representatives
1433 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman Gabbard:

Thank you for your letter regarding the Thirteenth Section 706 Report Notice of Inquiry (Section 706 NOI). Your views are very important and will be entered into the record of the proceeding and considered as part of the Commission's review.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable John Garamendi
U.S. House of Representatives
2438 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Garamendi:

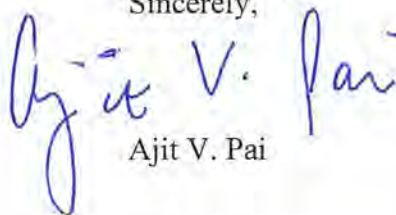
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Kirsten Gillibrand
United States Senate
478 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Gillibrand:

Thank you for your letter regarding the Thirteenth Section 706 Report Notice of Inquiry (Section 706 NOI). Your views are very important and will be entered into the record of the proceeding and considered as part of the Commission's review.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Raúl M. Grijalva
U.S. House of Representatives
1511 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Grijalva:

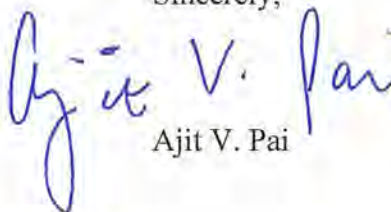
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Colleen Hanabusa
U.S. House of Representatives
422 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Hanabusa:

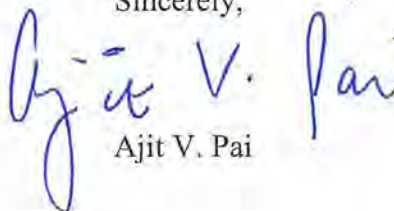
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Maggie Hassan
United States Senate
B85 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Hassan:

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Alcee L. Hastings
U.S. House of Representatives
2353 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Hastings:

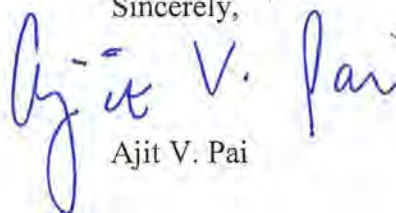
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Heidi Heitkamp
United States Senate
110 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Heitkamp:

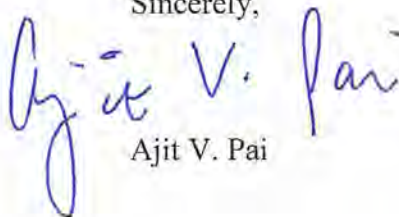
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Jared Huffman
U.S. House of Representatives
1406 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Huffman:

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Sheila Jackson Lee
U.S. House of Representatives
2187 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Jackson Lee:

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Rohit Khanna
U.S. House of Representatives
513 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Khanna:

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I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable John Lewis
U.S. House of Representatives
343 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Lewis:

Thank you for your letter regarding the Thirteenth Section 706 Report Notice of Inquiry (Section 706 NOI). Your views are very important and will be entered into the record of the proceeding and considered as part of the Commission's review.

On August 8, 2017, the Commission adopted the Section 706 NOI, seeking public input on the most effective ways to complete the Commission's statutorily mandated task of determining whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion. With respect to claims that the Section 706 NOI proposes to lower the current speed benchmark of 25 Mbps download and 3 Mbps upload (25 Mbps/3 Mbps) for fixed broadband, the item clearly proposes to *maintain* the 25 Mbps/3 Mbps standard for fixed broadband. The NOI also seeks comment on whether we should consider modifying that benchmark, and also asks if there are additional benchmarks we should include, such as data allowances, latency, or consistency of service. In addition, the Section 706 NOI seeks comment on how the inquiry can include an evaluation of both fixed and mobile services, and on a number of alternative approaches for how to incorporate the availability of mobile services in the Commission's evaluation under the statutory standard.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Edward J. Markey
United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Markey:

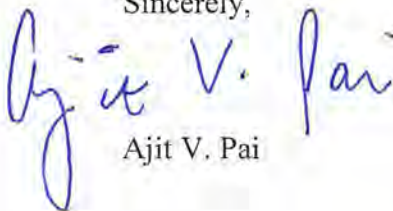
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Betty McCollum
U.S. House of Representatives
2256 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman McCollum:

Thank you for your letter regarding the Thirteenth Section 706 Report Notice of Inquiry (Section 706 NOI). Your views are very important and will be entered into the record of the proceeding and considered as part of the Commission's review.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Jim McGovern
U.S. House of Representatives
438 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman McGovern:

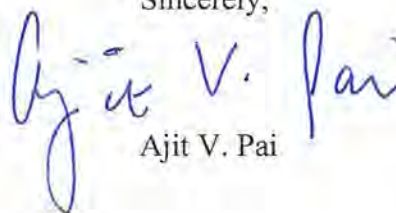
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Gwen Moore
U.S. House of Representatives
2252 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Moore:

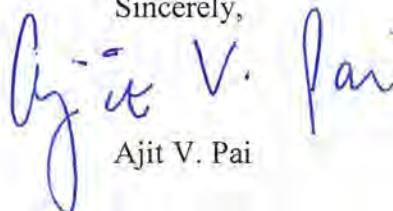
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Seth W. Moulton
U.S. House of Representatives
1408 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Moulton:

Thank you for your letter regarding the Thirteenth Section 706 Report Notice of Inquiry (Section 706 NOI). Your views are very important and will be entered into the record of the proceeding and considered as part of the Commission's review.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Rick Nolan
U.S. House of Representatives
2366 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Nolan:

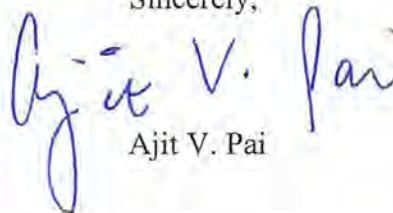
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Tom O'Halleran
U.S. House of Representatives
126 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman O'Halleran:

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Chellie Pingree
U.S. House of Representatives
2162 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Pingree:

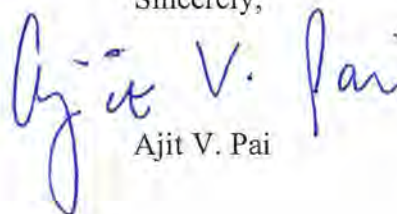
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FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF
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October 24, 2017

The Honorable Mark Pocan
U.S. House of Representatives
1421 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Pocan:

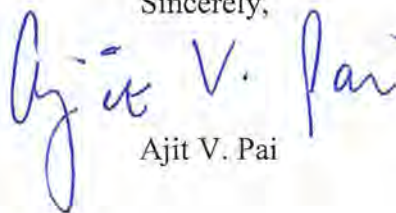
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Jared Polis
U.S. House of Representatives
1727 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Polis:

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FEDERAL COMMUNICATIONS COMMISSION
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October 24, 2017

The Honorable Brian Schatz
United States Senate
722 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Schatz:

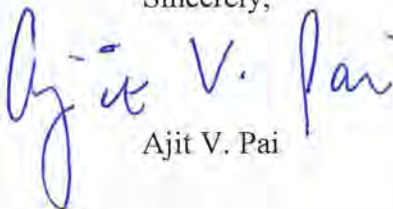
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FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Jose E. Serrano
U.S. House of Representatives
2354 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Serrano:

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Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Louise M. Slaughter
U.S. House of Representatives
2469 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Slaughter:

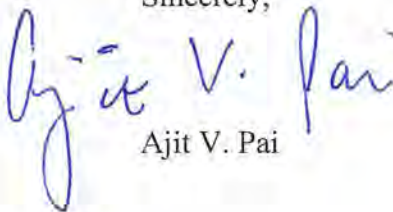
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Darren Soto
U.S. House of Representatives
1429 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Soto:

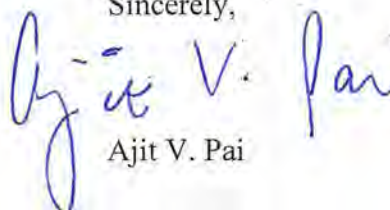
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Mike Thompson
U.S. House of Representatives
231 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Thompson:

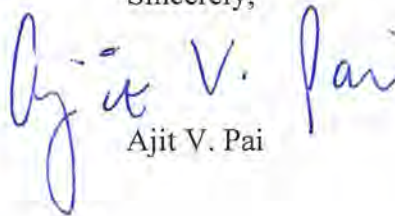
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Paul Tonko
U.S. House of Representatives
2463 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Tonko:

Thank you for your letter regarding the Thirteenth Section 706 Report Notice of Inquiry (Section 706 NOI). Your views are very important and will be entered into the record of the proceeding and considered as part of the Commission's review.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Chris Van Hollen
United States Senate
B40C Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Van Hollen:

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Tim Walz
U.S. House of Representatives
2313 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Walz:

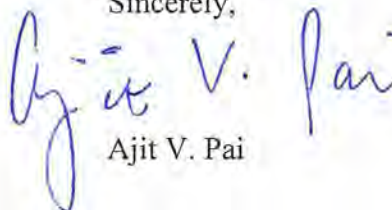
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

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

Dear Congressman Welch:

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 24, 2017

The Honorable Ron Wyden
United States Senate
221 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Wyden:

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October 24, 2017

The Honorable John Yarmuth
U.S. House of Representatives
131 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Yarmuth:

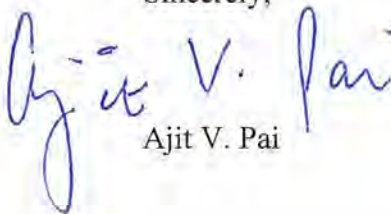
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