Congress of the United States
Washington, DC 20515

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.

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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
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David N. Cicilline
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Heidi Heitkamp
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