

ONE HUNDRED SIXTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

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COMMITTEE ON ENERGY AND COMMERCE

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December 19, 2019

The Honorable Ajit V. Pai  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Dear Chairman Pai,

We write in response to the recently released Federal Communications Commission (FCC) staff report on the investigation into the Mobility Fund Phase II (MF II) coverage maps, as well as the subsequent announcement that MF II will be replaced with a new 5G Fund. The report confirms the concern frequently raised by bipartisan Members of Congress: that data collected for the MF II does not produce a reliable coverage map.

We agree with the report's recommendation that data specifications should include updated parameters to reflect better on-the-ground service. Just this week, the House passed legislation to improve broadband mapping and the Senate has passed legislation as well. This bipartisan, bicameral support clearly shows that the Commission must collect better data before moving forward on any fund.

Your announcement of a new fund provides an opportunity to move past the flaws in the MF II process. Programs that provide necessary resources to preserve and expand mobile services in rural America enjoy strong support from Congress, and we are encouraged that the FCC plans to dedicate \$9 billion in Universal Service Fund support to advance this goal. However, the recently announced 5G Fund must be allocated responsibly. The way that this fund is structured can make the difference between connecting unserved and underserved Americans or deepening the digital divide. Expanding connectivity is even more important as technology advances. The promise of 5G and its benefits will be denied to millions of Americans in rural areas without targeted support.

While the new fund will replace MF II, the goals of MF II remain unmet. As you move forward, it is critical that areas that lack 4G LTE coverage—or any connectivity—are not left behind in a rush to advance well intended efforts to deploy 5G. You have noted the need to focus funds to “support the networks of tomorrow,” yet today's services remain unavailable for

too many Americans.<sup>1</sup> This is unacceptable, and the design and execution of any new fund must be carefully constructed to succeed where MF II failed.

For these reasons, we seek additional information on the Commission's plan for this new 5G fund. Specifically, please provide our Committees with the following information:

1. What safeguards will the Commission put in place to ensure that areas eligible for support are based on reliable coverage data?
2. How will the Commission determine which services are eligible for support?
3. What performance benchmarks will you require to qualify for support?
4. What steps will the Commission take to ensure that new services are sufficiently secure?

Thank you for your attention to these important issues. Please provide us with your response no later than January 17, 2020. If you have any questions regarding this request, please contact Gerald Leverich with the Majority Staff at (202) 225-2927 or Kate O'Connor with the Minority Staff at (202) 225-3641.

Sincerely,



Frank Pallone, Jr.  
Chairman  
Committee on Energy and Commerce



Greg Walden  
Ranking Member  
Committee on Energy and Commerce



Mike Doyle  
Chairman  
Subcommittee on Communications  
and Technology



Robert E. Latta  
Ranking Member  
Subcommittee on Communications  
and Technology

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<sup>1</sup> See, Federal Communications Commission Press Release, *Chairman Pai Announces Plan to Launch \$9 Billion 5G Fund for Rural America*, Dec. 4, 2019. Available at: [docs.fcc.gov/public/attachments/DOC-361168A1.pdf](https://docs.fcc.gov/public/attachments/DOC-361168A1.pdf).